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Journal
of the
Council of Idaho Territory

Eight Session

First Day

Council Chamber
Boise City Dec 6th 1874

Pursuant to law, the Legislative Assembly of the Territory of Idaho met at the Capitol, at 12 o'clock M. and was called to order in the absence of J. H. Hickenbaum, Secretary by H. C. Beachey Asst. Secretary of the 7th Council

The following named persons were present.

A. E. Pickett	—	Ada County
C. Kelly	—	Ulmas "
J. M. Cannady	—	Boise "
R. E. Foote	—	" "
J. J. Hawley	—	" "
S. O. C. Hoagland	—	Idaho "
E. F. Beatty	—	Lemhi "
S. P. Brown	—	Nez Perce "
[illegible] Martin	—	Owyhee "
A. D. Walker	—	Oneida "
W. L. Goulder	—	Shoshone "

[illegible] was decided to a temporary organization,

Whereupon, on motion of C. F. Beatty, of Lemhi County, A. E. Pickett, of Ada County, was elected temporary President.

On motion of Jno McKelly, of Ulmas County, H. C. Beachy, of Ada Co was elected temporary Secretary.

On motion of C. F. Beatty, of Lemhi County, T. J. Anderson, of Ada Co. was elected temporary Sergeant-at-arms.

On motion of Jno McNally, of Alturas County, A. J. Boraten, of Ada Co. was elected Sergeant at Arms - keeper.

On motion of Mr Beatty, a committee of one from each County was appointed by the Chair, on Credentials Composed of L. P. Brun, of Nez Perce Co. W. A. Goulder, of Oneida Co, J. W. Howard of Idaho Co. & H. E. Foote, of Boise Co, & Jno McNally, of Alturas Co. E. J. Beatty, of Lemhi Co. & A. Walker, of Oneida Co.

H. Martin, of Owyhee Co. H. E. Pockett, of Ada Co.

On motion of Mr. Beatty, the Convention organization took a recess until 2 o'clock P.M.

H. C. Beachey
Chief Clerk pro tem

H. E. Pockett
Sergt at Arms pro tem

Afternoon Session

Council met at 3 o'clock P.M. Council called to order Pres. in the Chair. Roll called. Present: Messrs. McNally, Kennedy, Foote, Standley, Truesdell, Beatty, Brun, Martin, Shattuck, Goulder, and the President pro tem.

L. P. Brun from the Committee on Credentials report made as follows -

Boise City, Dec 7th/14

Mr President.

Your Committee on Credentials would report that they find the following named persons entitled to seats in the Legislative Council of Idaho Territory at the present session! -

John. W. Carmody — Boise County.
James. H. Stanley — " "
R. C. Foote — " "
John McNally — Alturas "
Henry Martin — Owyhee "
Alexander Stalker — Oneida "
S. P. C. Steward — Idaho "
W. A. Goulder — Shoshone "
H. E. Prickett — Ada "
A. H. Robie — " "
E. F. Beatty — Lemhi "
L. P. Brown — Nez. Perce "

L. P. Brown
Chairman

On motion of Mr Beatty the report was adopted, and the Committee discharged.

On motion of Mr. Beatty, Council adjourned to meet at 10 o'clock tomorrow morning.

H. E. Prickett
Pro. tem.

H. C. Beach
Chief Clerk Pro tem

Second Day

Council Chamber
Boise City Dec 8th 1874

Council met pursuant to adjournment President in the Chair. Roll call all present except Messrs Angell and Robie. on motion of Beatty a committee of two was appointed to wait upon Associate Justice Hollidie and request him to administer the oath

Oaths of Office to members elect
Councilmen Messrs Beatty and Howard
On motion of Mr Beatty
a recess was taken subject to a call
of the Chair.

Committee appearing with
Justice Hollister. Council called to
order.

Associate Justice Hollister
then administered the Oaths of Office
to the Members elect.

On motion of Mr Hanley a
vote of thanks was tendered to Associate
Justice Hollister.

On motion of Mr Hanley the
Council proceeded to a permanent
organization.

Mr McNally placed in
nomination E.J. Beatty of Lincoln County
for President.

Mr Snider nominated
A. H. Robie of Ada County.
On roll call, Mr Beatty received 6
votes, Mr Robie 4. Mr Hannady 1

Mr Beatty having received
a majority of all the votes cast
was declared duly elected.

On motion of Mr McNally
a Committee, two composed of Messrs
McNeill and Hannady were appointed
to wait upon Mr Beatty and conduct
him to the Chair. He was addressed
the Members of the Council, by polite
ly thanking the members of the Council for
the honor Conferred.

On motion of Mr Hawley a Committee of two composing Messrs Hawley and Puckett was appointed to wait upon Associate Justice Hollister and request him to administer the oath of Office to the Governor elect.

(Oath of Office administered) to Governor Mr Hannah nominated E. J. Curtis of Boise Co for Chief Clerk

Mr Puckett nominated W. C. Beachey of Ada County.

On Roll call Mr Curtis received 6 votes Mr Beachey 5, Mr Curtis receiving a majority of all the votes cast was declared duly elected Chief Clerk.

Mr Hawley nom Thos. V. Matthews of Ada County for Asst Clerk & Mr Matthews received 8 votes and Mr Beachey 3. T. V. Matthews receiving a majority of all the votes cast was declared duly elected.

Mr Hoyt placed in nom for Sergeant-at-Arms W. M. Anderson of Ada County; Mr Martin Owen of Bingham County.

On Roll call Mr Anderson received 8 votes. Mr Hays 3

Mr Anderson was declared duly elected)

for Engrossing Clk Mr Hawley nom S. W. Wa of Boise County. Mr Puckett nom C. Bad E. S. W. Wolff received 7. votes Mr Barton

Mr Wolff was declared duly elect

Mr Foote nominate J. W. Slater of Ada County for Engrossing Clerk

Mr Goulder nom A. O. Elmer of Ada Co

On Roll call Mr Slater received 9 votes Mr Elmer 5.

Mr Slater was declared duly elected Engrossing Clerk

Mr Cannady nom C. J. Boyakin of Ada Co for Doorkeeper

Mr Boyakin receiving 11 vote was declared duly elected Doorkeeper

Mr Hawley nom H. L. Pitts of Ada Co for Messenger

Mr Goulder nom Geo Bayhouse of Ada County

On Roll call Mr Pitts received 8 votes Mr Bayhouse 3.

Master Pitts was declared duly elected Messenger

On motion of Mr Hawley the President then proceeded to administer the oath of Office to the Chief Clerk. Asst Clerk and other Officers.

On motion of Mr Hackett a Committee of three was appointed to inform the House that the Council was permanently organized and ready for business. Messrs Hawley, Brown and Hackett were appointed on said Committee.

On motion of Mr Hawley, Messrs Hawley and Brown were appointed a committee on rules. On motion of Mr Hawley Messrs Hackett and McNally were appointed a committee on Rules

And joint rules of order. to act with a like committee from the House.

On motion of Mr Foote Council adjourned until 2 Oclock P.M.

Council met pursuant to adjournment. Council called to order. President in the Chair Roll called all present except Messrs Angell and Robie.

Standing Committees appointed by the President are as follows:—

Judiciary. Foote, Pickett, Martin

Finance. Hawley, Angell, Brown.

Federal Relations, Edward, Statker. Golder.

Territorial Affairs, Cannady, Martin. Robie.

Mines and Mining. McNally, Angell, Golder.

Incorporations. Statker. Hawley. Cannady.

Elections. Brown Foote. McNally.

County and County Boundries Cannady. Golder. Angell.

Military Affairs. Foote, Statker. Robie.

Education. Angell. Golder. Pickett

Roads and Highways Brown. Robie. Statker.

Printing Golden, McNally. Angell.

Mileage. Cannady. Staker. McNally.
Enrolled Bills. Goulder, Angell. Brown.
Engrossed Bills. Hawley. Howard. Stalker,
Agriculture. Robb. Stalker. Brown.
Mails & Mail facilities Howard. Hawley, Goulder.

On motion of Mr Hawley the following report of Committee on rules was adopted.

Report of Committee on Rules

Mr President

Your committee on rules respectfully report that we reccommend the adoption of the Standing rules of the last Session with the excepteion of rules (54) which we reccommend be amended by making the hour of daily meeting ten O'clock on the morning instead of Eleven.

Respectfully submitted,
James N. Hawley
Chairman

Rules of last Session as amended adopted as the standing of Eight Session.

On motion of Mr Hawley 100 Copies of the standing rules and 100 Copies of Standing Committee were ordered printed.

On motion of Mr Wicks ce recess was taken until 2 o'clock P.M.

Afternoon Session
Council Chamber
3 Oclock P.M.

Council called to order.
President in the Chair.
Roll called all present except
Messrs Angell & Brown.
Message from the House

House of Representatives
Boise City Dec 8th/79

Mr President.—

I am instructed to inform Your honorable body that the House of Representatives of the Eighth Session of the Idaho Legislature have permanently organized by the election of following Officers:—

E. A. Stevenson — Speaker
F. D. Cahalan — Chief Clerk
F. J. Curtis — Asst " "
Miss Hattie F. Sackett — Engrossing "
W. B. Treyes — Enrolling "
Green White — Sergeant-at-Arms.
John Ward — Doorkeeper.
Dixie Boone — Messenger.

And are now ready for the transaction of Business. I also, that Messrs Anderson, Salmon, and Cable were appointed to act with a like Committee on the part of the Council, to wait upon, and inform his Excellency, the Governor of the permanent organization of the Legislative Assembly, and their readiness to receive any communication he may have to make.

F. D. Cahalan
Clerk

On motion of Mr Brickett.
Mr Brickett and Mr Cannady was appointed a Committee to act with a like Com^e from the House to wait upon and inform his Excellency Gov S.H. Bennett and inform him that we are ready to receive any Communication he may have to make.

Mr Foote moved that the Council proceed to the election of a Chaplain. Roll called

Motion lost.

On motion of Mr Cannady Council Adjourned until 7 Oclock P.M.

Council met pursuant to Adjournment

President in the chair all present except Messrs Angell, Cannady, Hanley and Robie.. Message from the House

House of Representatives
Boise City Dec 8th 1874

Mr President:-

I am instructed to inform your honorable body that the House have passed a resolution inviting the Council to meet with them in joint convention in the Hall of the House of Representatives at half-past seven Oclock P.M. for the purpose of receiving the Governors Message.

E.D. Beahalen

Clerk.

On motion of Mr Brown the invitation was accepted.

On motion of Mr Pickett Council adjourned to House.

Council called to order Mr President in the chair Roll called, all present except Messrs Angell and Robie.

On motion of Mr Hawley a committee was appointed to wait upon the Governor and escort him to the Hall.

The Com returned with his Excellency the Governor and was introduced by the President.

Governors Message.

After the Message the President adjourned the Council, and retired to Council Chamber when on motion the Council adjourned until ten Oclock.

E. J. Kerr
Chief Clerk

E. J. Beatty, President

Third Day

Council Chamber
Boise City Dec 9th 1/79

Council met pursuant to adjournment.

Present in the Chair, Roll called all present except Messrs Angell and Robie.

Notice of Bills was given as follows:

Mr President:

I hereby give notice that I will at an early day introduce a Bill regulating the Territorial Printing of the offices of the different County Auditors and Treasurers.

Hawley.

Notice of Bills

Mr President—I give notice that on tomorrow or some future day, I will Introduce a Bill to alter the Charter of Boise City in the County of Ada.

Also a Bill to provide for the disposal of lands entered as Town sites. under the Act of Congress.

Dickett

Mr President:—I give notice

By unanimous consent of the Council Mr Kennedy Introduced (without notice) C. B. No 1 relating to fees and salaries of certain Officers in Boise County read 1st and 2nd time and referred to Com. on Judiciary.

On motion of Mr Kennedy the vote of yesterday defeating the Resolution for the appointment of a Chaplain, was reconsidered. the original resolution then passed.

Mr Hawley moved that the Chaplain receive no compensation from the Territory. motion carried. The Council then proceeded to nominations for Chaplain

Mr Goulder	Nom	Mr Simmons.	
Mr Foote	"	Mr Watters.	
Mr Martin	"	Mr Hays.	
Mr McNally	"	Mr Eggleston	
Mr. Kennedy	"	Mr Gilliam	
Mr Dickett	"	Mr. Hill	

Roll called. no. Nominee having received a majority of all the votes cast the President declared no Election.

On the record Ballot Mr Sutton received 6 votes and Mr Johnson 5. Mr Sutton having received a majority of all the votes cast was declared duly elected.

Two Tickets introduced b.b. R. No 1. to provide for the printing of 1.000 of the Gov Messages and 200 Copies of the Territorial Controllers and Treasurers reports. resolution adopted

On motion of Mr Hawley was appointed a Com of One to act with the like Com from the House on Joint Routing

On motion of Mr Cannaday and Goulder was appointed a Committee to wait upon and inform Mr Sutton of his election as Chaplain of the Council

On motion of Mr Goulder Council adjourned until 2 O'clock P.M.

Afternoon Session

Council Chamber

Boise City Dec 9th/74

Council called to order by President in Chair

Roll called all present except Messrs Angell and Robie. Journal of yesterday read and approved.

Message from the House

Mr President

I am instructed to inform your honorable body that the House has appointed Messrs Campbell, and Anderson as a Committee on Rules and Joint Rules of order to confer with a like Com from the Council to report rules for the government of both Houses

T. D. Callahan

Chief Clerk House

Mr President Report of Committee

your Com Dep Secy appointed to wait upon & inform the Rep Inv Sylten. and inform him his of his election as Chaplain of the Council. beg leave to report that they have discharged that duty. and that Mr Sylten accepts the Office of Chaplain and thanks the Council for the compliment covered.

Cannady
Chm

Mr Goulder introduced C.C.R. No 2 requesting the Secretary of the Territory to furnish to each member of the Council and House with two Copies of the Idaho Tri-weekly Statesman. Mr Martin moved an Amendment that each member be supplied with two Copies of the Daily Avalanche Amendment carried and the amended resolution passed. Notice of Bills

Mr President.

I give notice that I will at an early day introduce a Bill to amend "An Act entitled an Act to establish a Common School System and to provide for the maintainance and Supervision of Public Schools.

H. Martin.

Mr. Cannady introduced a resolution requesting the Secretary of Territory to furnish the Council with the total vote polled in the several Counties in the Territory of Idaho at the last General election. Resolution adopted

By unanimous consent Mr Hawley introduced C. B. No 2. "An Act entitled an Act for the protection of the Territorial Treasury. read 1st and 2d times and referred to Committee on Finance. On motion of Mr Foote Council adjourned.

E. T. Carr
Chief Clerk

E T Beatty. President

Fourth Day

Council Chamber
Boise City Dec 10th/74

Council met pursuant to adjournment. President in the Chair. Roll called all present except Messrs Angell and Robie. Prayers by the Chaplain. Journal of yesterday read and approved.

Mr Brown introduced C. C. R. No granting leave of absence to John Clark Prosecuting Attorney of the 1st Judicial Dist for the period of four months.

on motion of Mr Foote the resolution was adopted.

Notice of Bills.

Mr President I give notice that at an early day I will introduce a Bill to repeal an "Act entitled an Act for the better observance of the Sabbath day, Approved Jan 8th 1873.-

Foote.

Mr President. I give notice that I will at an early day introduce a Bill for an Act funding the debt of Boise Co

Hawley.

Report of Com on joint Rules.

Mr President.

Your Committee on joint Rules of order. having given the same due consideration respectfully submit the following report.

We recommend that the joint rules of the last Session be amended as follows:- 1st Strike out the word "Secy" where it occurs on the first line of rule 3rd. the words "Secy" or where they occur in the second line of rule 4 the words "Secy or" where they occur in the fourth line of rule 8 and by substituting the words "in the place of the words" "of the House of Council" as the case may be in the 5th line of rule 8

And that when so amended they be adopted as the joint rules of this session.

Respectfully submitted
John McNally
on behalf of the Council
Fred. Campbell
on behalf of the House.

On motion of Mr Foote the report was adopted.

On motion of Mr McNally the joint rules as amended were adopted.

Mr Howard introduced the following Resolution. That the Secretary of this Session be requested to furnish each member of the Council with a copy of the Laws of each Session. On motion Mr Brown the resolution was adopted.

On motion of Mr Howard Council took a recess until 2 O'clock P.M.

Afternoon Session.
Council Chamber.
2 Oclock P.M.

Council called to order.
President in the Chair. Roll called all present except Messrs Angell, Robie and Foote.

Message from the House.

Mr President,

I am instructed to inform your Honorable body that the House have passed H.C.C. No 1. providing for the appointment of a Joint Committee by the House and Council to revise the Revenue Law and provide a uniform system of revenue for the Territory. which is herewith transmitted and respectfully ask the concurrence of the Council thereto.

Also

The House have had under consideration. C.C.B. Nos 1 & 2 and passed the same with certain amendments all of which are herewith transmitted

T. D. Cahalan
Chief Clerk of the House

C.C.B. No 4. relating to the creation of the Office of Journal Clerks. was introduced read 1st 2nd & 3rd times and ordered placed on file for reference to a Committee of the whole

By unanimous consent of the Council Mr Hunter introduced C.B. No 3 An Act relating to the issuing of new Bonds to be interchangeable for the old Bonds issued Jan 12th 1866. and Jan 14th 67. read a 1st & 2nd times and referred to Committee on Finance

Notice of Bills

Mr President. I give notice that on tomorrow, or at an early day I will Introduce a Bill. "Defining the Office of Prosecuting Attorney in each of the Organized Counties in this Territory and defining their duties, privileges, and powers and fixing their compensation

Pickett.

Mr President.

I give notice that at an early day. I will introduce a Bill for an Act to abolish the Hospital Tax in Boise Co. and to discontinue the maintainance of a Hospital at the expence of said Co.

Hawley.

Mr President.

I give notice that at an early day I will introduce a Bill for an Act to enforce the collection of Taxes from National and other Banks doing business within this Territory.

Hawley

Mr Pickett introduced. C.C.R. No 5. relating to the appointing of a Committee to examine the revision, compilation, and Codification of Laws prepared by E. J. Curtis resolution read, adopted, and referred to a Com composed of Messrs Fitts, Pickett and Hailey.

Mr McNally introduced C.C. R. No 6 relating to an appeal to Congress for aid in the construction of the Portland, Dalles, and Salt Lake. R.R. Resolution read and referred to Com on Federal Relations House. C.C. No 7 relating to a Com to examine the Revenue Laws was read and adopted and referred to a special Com composed of Messrs Conway and Brown.

The House amendments to C. C. R. No 1 were then taken up and considered The Council concurred in the amendment increasing the number of reports of Offices ordered printed but refuse to concur in the amendment striking out one Thousand Copies of Governors Message and inserting 250.

The House amendment to C. C. R. No 2 were then taken up and considered and the Council unanimously refused to concur in the amendments

On motion of Mr Cannady, Mr Hawley was granted leave of absence for seven days

On motion of Mr Slatker the Council adjourned

E. J. Carr
Chief Clerk

E F Beatty
President

Fifth Day

Council Chamber
Boise City Dec 11th 1874

Council met pursuant to adjournment.
President in the Chair. Roll called all present except Messrs Angell, Hawley, Gould & Robins
Prayer by the Chaplain. Journal of yesterday read and approved.

Mr Brown introduced C. C. R. No 7 relating to a Tri-weekly mail Service between Lewiston and Elk City.

On motion of Mr. Goulder the resolution was adopted.

Report of Committee

Mr President: Your Committee on Mileage beg leave to submit the following report. That they have examined the certificates of the Members of the Council for Mileage, and find them entitled to draw pay for the number of miles set opposite to their names.

County.	Member.	Miles.
Adair County	Pickett	2
"	Robie	20
Alturas	McNally	240
Boise	Foote	80
"	Hawley	112
"	Campbell	100
Idaho	Howard	1.170
Lemhi	Beatty	2.138
Nez Perce	Booth	975
Owyhee	Martin	140
"	Angell	210
Oneida	Stalker	1.208
Shoshone	Goulder	1.000

Cannady

Ordered filed

Notice of Bills

Mr President. I give notice that I will at an early day. introduce a Bill fixing the Fees and Salaries of certain Officers of Boise County.

Cannady.

Gin motion of Mr Brown 100 Copies of C. B. No 3. An Act relating to the funding of the Territorial debt was ordered printed

By unanimous consent Mr Pickett introduced C. B. No 4. An Act relating to the Charter of Boise City. read a 1st and 2nd times and referred to Committee on Incorporation

Mr Pickett introduced C. B. No 5 an Act relating to the creation of the Office of Prosecuting Attorney for each of the several Counties in Idaho Territory. read a 1st and 2nd times and referred to Com on Judiciary. On motion of Mr Cannady 40 Copies of C. B. No 5 were ordered printed.

Chairman

Report of Committee on Mileage read and on motion of Mr Goulden was unanimously adopted.

On motion of Mr Goulden Council resolved itself into a Com of the whole to take under consideration C.C.B. No 4. Com of the whole. Mr Golden in the Chair. upon learning that the Res had not been returned from House the Committee arose.

On motion of Mr Pickett Council adjourned until 2 Oclock P.M.

Afternoon Session.

Council Chamber
2 Oclock P.M.

Council called to order. President in the Chair. Roll called all present except Messrs Angell. Hawley and Robie. On motion of Mr Pickett 50 Copies of C.B. No 4 were ordered printed

Message from the House.

Mr President, I am instructed to inform your honorable body that the House have adopted the report of the Joint Committee on rules and joint rules & order for the Government of both Houses.

T. D. Chaloner
Chief Clerk House

Also I am instructed to inform your honorable body that the House have had under consideration. H.C.R. No 1 for the appointment of a joint Com of both Houses, to revise the Revised Laws &c., and have appointed Messrs Mc Crary. Campbell, and Sharp as on Committee on the part of the House

T. D. Chaloner
Chief Clerk of the House

Message from the House

Mr President.

I am instructed to inform your honorable body that the House have had under consideration. C. C. R. no 1 & 2 and respectfully refuse to accede from their amendments thereto,

Also C. C. R. no 3. and have adopted the same, and appointed Messrs Anderson Pierce. and Siddleton. as a Committee to investigate the same. which are herewith transmitted.

E. D. Canahan
Chf Clerk House

On motion of Mr Beckett. Council refuse to concur in House amendment to C. C. R. relating to printing of Governors Messages and on motion of Mr ——— a Com of three composed of Messrs Foote & Beckett was appointed to act with a like Comm from the House. as a Comm. of Conference

On motion of Mr Brown. House amendment to C. C. R. no 2 relating to furnishing Members with Copies of Idaho papers was concurred in adopted.

Mr Foote introduced C. B. no 6 an Act relating to the Official Bonds of Officers. read. 1st and 2nd times and referred to Committee on Judiciary.

On motion of Mr McNally Council adjourned until 10 Oclock tomorrow.

E. J. Carr
Chief Clerk

E J Beatty
President

Sixth Day.

Council Chamber
Boise City Dec 12th/74

Council met pursuant to adjournment. President in the Chair. Roll called all present except Messrs Angell, Hawley, Martin, and Robie. Prayer by the Chaplain. Journal of yesterday read and approved. Report of Committee on President. Your Committee on Federal relations. To whom was referred H.R. No 4 have had the same under consideration, and report it back and respectfully recommend its adoption

Howard
Chairman

Message from the House.

Mr President.

I am instructed to inform your honorable body that the House have had under consideration. H.R. No 1 an Act granting leave of absence to the Prosecuting Attorney of the first Judicial Dist. of Idaho Territory. and passed the same without amendments. which is herewith transmitted.

Also

At the request of the Council, The House herewith return to your Hon body H.R. No 4. relating to Journal Clerk

Also

The House have appointed Messrs Cave, Pierce and White as Committee of Conference, to confer with Com of Council in relation to H.R. No 1 - relating to granting Governors Messages and accompanying reports.

T. D. Cahalan
Chief Clerk of the House

An invoice of Wm Braun H.R. No 6 was received and placed upon its passage. Ayes 21 Noes 0 Absent Messrs Angell Hawley Martin & Robie. Bill passed unanimously

Message from the House.

Mr President. I am instructed to inform Your honorable body that the House have had under consideration S.C.R. No 7. relating to increase of Mail Service in Nez Perce County Idaho Territory and have unanimously passed the same without amendment which is herewith transmitted.

T. D. Cahalan
Chf Clerk House

Council resolved itself into Com of the whole. Mr Angell in the Chair S.C.R. No 4. relating to the appointing of Journal Clerks was taken up and considered, on motion of Mr Goulder to report the Resolution back to the House recommending its adoption was lost, on motion of Mr Howard Com arose and reported the Resolution back to the Council without recommendation On motion of Mr Goulder the rules were suspended & the Res considered engrossed read a third time and placed upon its final passage, and on the passage of the foregoing resolution. The roll was called

	aye	Nays	absent
Angell			
Batum	/		
Connady	/		
Foote	/		
Goulder		/	
Hawley			absent
Howard		/	
Martin		/	
McBratney	/		
Pinkerton		/	
Robie			absent
Stalker		/	
Mr President	/		

Ayes 5 Nays 5 Motion lost

Report of Special Committee

Mr President. Your joint conference Committee of the Council and House of Representatives, upon C.C.R. No 1. concerning the printing of the Governors Messages &c have conferred and recommend that six-hundred Copies of the Governors Messages and two-hundred and fifty Copies each of the Controller, Treasurer, Asst Supt of Public Instruction be printed.

Toole

Upon behalf of Council

Kaye

Upon the part of the House.

On motion the report was adopted.

On motion of Mr Toole the Council adjourned until 12 O'clock M.

C. Sherman Lewis

Council Chamber

2 O'clock P.M.

Council called to order. President in the chair. Roll called all present except Messrs Angell, Handy, Martin and Robie. On motion of Mr Goulder C.C.R. No 4. relating to the Appointment of Journal Clerks was reconsidered.

On motion of Mr Kennedy the Resolution was temporarily laid on the table.

On motion of Mr Statler Council adjourned until ten O'clock Monday morning.

E. T. Beatty

President

E. T. Barr

Chief Clerk

Eight Seven Day.

Council Chamber
Boise City. Dec 14th/74

Council met pursuant to adjournment.
President in the chair, Roll called. all present except Messrs Hawley, Robie, Angell and Bowen.
Prayer by the Chaplain. Journal of yesterday read and approved.

Petitions and Resolutions

Mr Goulder Introduced C. W. No 1 relating to Gov aid for Seattle and Walla Walla R.R. read 1st and 2nd times and referred to Comm on Fed Relations

Introduction of Bills.

Mr Martin Introduced C. B. No 7. an Act to amend an Act entitled an Act to establish a Common School system &c read 1st and 2nd times and referred to Comm on Education.

By unanimous consent of the Council, Mr Pickett Intro C. B. No 8. an Act granting leave of absence to Jno Kelly, Recorder and Auditor elect for Alturas County. read 1st & 2nd times and referred to Comm on Jud

Message from the House.

Mr President.

I am instructed to inform your honorable body that the House have had under consideration, H. C. R. No 3. relating to printing of 50 Copies of the joint rules of both Houses, and recommend adoption the same and respectfully ask the concurrence of the Council thereto.

Also: the House have had under consideration C. C. R. No 1. and have adopted the joint report of the Conference Comm of the House and Council. recommending the passage of Six-Hundred Copies of the Governors

...

Message, and two-hundred and fifty Copies each of the Controller, Treasurer and Supt of Public Instruction reports

Also: the House have adopted said H.C.R. No 7. as per report of Conference Committee.

Also. the House have had under consideration H.C.R. No 6. relating to S.D. & S.L.R.R. and unanimously passed the same. both of which is herewith transmitted

Also. the House have had under consideration H.C.R. No 4. concerning the appointment of Journal Clerks for the House and Council thereto which is herewith transmitted.

T. D. Cahalan.
Clerk

H.C.R. No 4. relating to Journal Clerks was taken up. read a 1st & 2nd times and referred to Comm'd on Finance.

H.C.R. No 3. relating to the printing of 50 Copies of the Joint rules was taken up read a 1st & 2nd times and unanimously adopted

On motion of Mr Goulden Council took a recess until 2 O'clock P.M.

Afternoon Session
2 O'clock P.M.

Council called to order.
President in the Chair. Roll called, all present, except Messrs Engell, Brown, Hawke and Robin. There being no business on order. Council adjourned on motion of Mr Howard until tomorrow morning

E J Beatty
President of the Council

E. J. Carr
Chief Clerk of Council

Ninth Day.

Council Chamber
Boise City Dec 15th/74

Council met pursuant to adjournment.
President in the chair. Roll called. all present except Messrs Angell. Stanley. Martin & Robie.
Prayer by the Chaplain. Journal of yesterday read and approved.

Report of Committees.

Mr President.

Your Committee to whom was referred Council Bill No 8. have had the same under consideration: and recommend its passage in this particular case. owing to the peculiar circumstances surrounding it— but would discourage such applications in the future as there is a general Law upon the subject.

Foote.
Chairman.

Council Bill No 8. was taken up and considered. on motion of Mr Howard the rule was suspended. and the Bill considered engrossed. on motion of Mr McNally a 3rd reading of the Bill at length was dispenced with. and the Bill placed on its final passage The question being shall the Bill pass. The ayes and nays was called with the following result. Ayes- Messrs Boom, Carnahy, Foote. Goulder. Howard, Martin. McNally. Pickett Stalker. Mr President. Nays none. absent Messrs Angell, Stanley. and Robie. so the Bill passed.

By unanimous consent of the Council. Mr Foote introduced C. B. No 9, an Act to provide for the duplication and registering of the outstanding warrants of Boise Co. read a 1st & 2nd time and referred to Com on Finance.

By unanimous consent of the Council Mr Stalker introduced C.B. 700 10. an Act to authorize and empower the Co Commissioners of Oneida Co. to construct and repair certain roads in said Co. read a 1st & 2nd time and referred to Com on Roads and Highways. At 10-30 a.m. the President announced that he had signed C.C.R. 700 1, 2, 3 and 7.

Message from the House.

Mr President.

I am instructed to inform your honorable body that the House have had under consideration and passed H.M. 700 2. asking the President of the United States to call an extra Session of the Legislature, on the adjournment of the present Session which is herewith transmitted to your honorable body for your consideration.

T. D. Cahalan
Clerk.

Mr President. I am instructed to inform your honorable body that the House have had under consideration and passed H. C.R. 700 2. relating to increase of Mail Service between Placerville in Boise Co & Yales Store in Ada Co.

Also. H.M. 700 1. for the establishment of a mail route from Placerville in Boise Co I.T. to Upper Payette Valley in said Co and respectfully ask the concurrence of the Council thereto which is herewith transmitted.

T. D. Cahalan
Clerk.

H.C.R. 700 2. relating to an increase of Mail Service between Placerville and Yales Store was taken up. read a 1st & 2nd time and referred to Com on Federal Relations.

House Memorial No 2 asking the President of the U.S. to authorize Gov. Bennett to call an extra Session of the Legislature immediately following the close of the present Session was taken up read a 1st & 2nd time and referred to Com on Federal Relations.

On motion of Mr Howard Council adjourned until 10 O'clock tomorrow.

E. F. Carr.
Chief Clerk

E F Beatty
President of the Council

Tenth Day.

Council Chamber
Boise City Dec 16th /74

Council met pursuant to adjournment President in the chair. Roll called all present except Messrs Angell, Hawley and Robie.

Prayer by Chaplain. Journal of Yesterday read and approved.

Reports of Com's.

Mr President.

Your Com to whom was referred H. C. R. No 4. to create the Office of Journal Clerk for the 8th Session duly Provide for his Compensation. would respectfully report that the Chairman and one other member of the Finance Com are absent. therefore return the Res without recommendation.

L. O. Brown
Com on Finance

Mr President.

The undersigned a majority of Your Com on Fed Relations. to whom was referred H. M. No 1. have had the same under consideration, would report back with the recommendation that it do not pass

Howard.
Slaker.

Mr President.

The undersigned, a majority of your Com on Fed Relations, to which has referred H.M. 100 2. have examined the same, and would recommend that it do not pass.

Howard.
Goulder.

Mr President.

Your Com on Fed Relations to whom was referred, H.C.R. 100 2. have considered the same. and recommend it passage.

Howard
Chairman

Mr President.

Your Com on Roads and Highways. to whom was referred H.B. 100 10 relating to a wagon road in Oneida Co would report that they have had the same under consideration. and recommend it passage.

Brown
Chm

H.M. 100 1. relating to establishing of a mail route between Placerville and Upper Payette Valley. was taken up. read 1st & 2nd time and referred to Com on Mail and Mail Facilities.

Message from the Governor.

Executive Department.
Territory of Idaho
Boise City Dec 15/75

To the Honorable Council.

I have the honor to inform Your Honorable body that Edward L. Etgels has been duly appointed Clerk to the Executive Department. and is authorized to deliver Executive Messages to each branch of the Legislature.

T. W. Bennett
Governor

H. C. R. 700 4. relating to the appointment of a Journal Clerk. was taken up. read a 3rd time and placed on its final passage. the question being shall the Bill pass. the ayes and nays were called. Ayes. Messrs Bloom. Cammady. Foote. Goulden. McNally and Mr President Hayes Messrs Howard. Martin. Pricketto. and Stalker. absent Messrs Angell. Hanley. Robie. so the Res passed.

Mr Howard gave notice that to-morrow he would enter protest against the passage of the Res.

S. M. 700 1 relating to Loan aids to Seattle and W. W. R. Co. was taken up and considered. and ordered Engrossed for a 3rd reading.

H. M. 700 2. relating to an extra Session of the Legislature, was taken up. read a 3rd time. and placed upon its final passage, the question being shall the Bill pass. the Ayes and nays called. Ayes Messrs Cammady. Foote. McNally. Stalker. and Mr President. Hayes Messrs Bloom. Goulden. Howard. Martin and Pricketto. absent Messrs Angell. Hanley. and Robie. so the Mem failed to pass.

H. C. R. 700 2. relating to an increase of Mail Facilities was taken up read a 3rd time and placed upon its final passage. the question being shall the Res pass. the ayes & nays called. Ayes The Res passed unanimously

S. B. 700 10. relating to certain roads in Oneida Co. was taken up, considered, and ordered Eng for a 3rd reading

On motion of Bottom Council adjourned until 10 o'clock tomorrow

E. J. Beatty
President of the Council

E. J. Carr. Chief Clerk.

Eleventh Day.

Council Chamber
Boise City Dec 17th /74

Council met pursuant to adjournment. President in the chair. Roll called. all present except Messrs Angell, Stanley, Foote, Robie. Journal of yesterday read and approved.

By unanimous consent of the Council. Mr Martin introduced C. B. No 11. an Act to dissolve the bonds of matrimony existing between R. J. Whittaker and Eliza J. Whittaker. read 1st & 2nd time and referred to Com on Judiciary.

Mr Kennedy. intro C. B. No 12. an Act fixing the Fees and Salaries of Officers in Boise Co. read 1st & 2nd time and referred to the Boise Co Delegation.

Reports of Com's.

Mr President. The Jud Com to whom was referred C. B. No 1. an Act to repeal an Act fixing the Fees & Salaries of certain Officers in Boise Co. approved Jan 15th 1871. Have had the same under consideration and thereon report it back to the Council with the recommendation that it pass.

Foote
Chm

Mr President. Your Com to whom was referred C. C. B. No 1. beg leave to report that they find the same correctly Enrolled.

Goulder
Chm

Mr President.

Your Com on Finance, to whom was referred C. B. No 9. beg leave to report and recommend that the same be referred to the Delegation from Boise County.

L. F. Brown
Chm

Mr President - Your Com on Mails and Mail Facilities to whom was referred H. M. No 1 Report it back and recommend its passage.

Brunard
Chm

H.B. No. 1001. relating to the establishment of a Mail route between Placerville and Payette Valley. was taken up read a 3rd time and placed upon its final passage the question being shall the Bill pass. the ayes and nays was called. the following members voted absent Messrs Angell, Hawley. and Robie so the Bill passed.

H.B. No. 1001. an Act to repeal an Act fixing the Fees and Salaries of certain Officers in Boise Co. was taken up and ordered engrossed for a 3rd reading.

Message from the Governor.

Executive Department
Territory of Idaho
Boise City Dec 15th

To the Honorable Council.

I have the honor to inform your honorable body, that I have this day approved, H.B. No 3. relative to a leave of absence to John Blank Dist Atty also, H.B. No 7. relative to increased service on the Mail route from Lewiston to Elk City.

W. Bunnell
Governor.

On motion of Mr Slaker, Council adjourned

E.J. Eyer
Chief Clerk.

E J Beatty
President of the Council

Twelfth Day.

Council Chamber.
Boise City. I.T. Dec. 10th/74

Council met pursuant to adjournment.
President in the Chair,
Roll called - All present except Messrs Hawley, Robie and Argyle.
Prayer by the Chaplain.
Journal of yesterday read and approved.

On motion of Mr Kennedy the vote of yesterday by which C. B. No. 1. was ordered engrossed was reconsidered.

By unanimous consent of the Council Mr Pickett introduced C. B. No 13. An Act to amend an Act entitled an Act for the better observance of the Sabbath day. Read 1st and 2d time and referred to Committee on Judiciary.

At 10.20 A.M. the President announced that he was about to sign H. C. R. No 4. Also H. C. R. No 2.

Report of Committees.

Mr President.

Your Committee on printing beg leave to report that they have examined the printed Copies of the Council and Joint-Rules and they find the same Correctly printed

Goulder
Chairman

Mr President.

Your Committee on Enrolled Bills beg leave to report that they have examined C. C. R. No 6.

and that they find the same Correctly enrolled.

Goudelock
Chairman

Mr President:

The Joint Committee here-tofore appointed to examine the Compilation revision and Codification of laws prepared by Hon E. J. Curtis, &c. respectfully report:

That they have discharged the duties assigned them and find such work to be engrossed and enrolled and that it Consists of a Compilation of the laws of this Territory amended in many respects to Conform to the New Code of California Your Committee is of the opinion that with some Slight amendments or Changes to a few Chapters of the work, it will Constitute a good System of laws upon the Subjects treated of; That we have Conferred with Hon. E. J. Curtis with reference to the matter and he informs us that two Clerks have been employed by him, about nine months each in performing the Clerical part of the work, and we are of the opinion that such Statement is Correct; Mr Curtis offers to surrender this work to the Legislature, and to make the Necessary index and Marginal notes to the whole of the laws of the Territory, and to elect and Superintend the publication of the book to Contain the same for the sum of Three Thousand five hundred dollars to be paid by warrant on the General fund of the Territory which sum Your Committee believe to be reasonable,

In view of the fact that it will be the means of getting the laws of this Territory into one volume in a Concise

form and that it would cost about the sum ask, to reprint such of the Session laws, as are now out of print; Your Committee recommend that that the work be purchased at the price above named, and that the several bills composing the same be at once introduced into one or both of the branches of the Legislature and refered to a Committee or Committee for such amending as may be deemed necessary.

Foote
on the part of the Council,

Anderson
on the part of the House,

The Report of the Committee appointed to examine the Compilation of the laws &c, was adopted.

By unanimous Consent of the Council Mr Kennedy introduced C. B. No 14. as a Substitute for C. B. No 1. an act to repeal certain acts fixing the Salaries and fees of certain officers in Boise County.

The Substitute was adopted and referred to the Boise County Delegation.

Message from the House.

House of Representatives,
December 16th, 1874.

Mr President,

I am instructed to inform your honorable body that the House have had under Consideration and passed C. B. No 8. an act granting leave of absence to William Kelly, Recorder and Auditor of Alturas County which is herewith transmitted

J. D. Loheleen
Clerk of House of Representatives

House of Representatives
December 17th, 1874.

Mr President:

I am instructed to inform your honorable body that the House have had under consideration and passed H. B. No 5, an Act- Concerning the herding of Sheep in the Territory of Idaho and respectfully ask the Concurrence of the Council thereto, which is herewith transmitted.

T. D. Cahalan
Clerk: House of Reps.

H. B. No 5. An Act Concerning Sheep herding in Idaho Territory, was taken up, read 1st and 2d time and referred to Committee on Agriculture

On motion of Mr Foote, Council adjourned until 10. o'clock tomorrow-

E T Beatty
President of the Council

E. J. Carr
Chief Clerk.

Thirteenth Day.

Council Chamber.
Boise City, Dec 19th, 1874.

Council met pursuant to adjournment.
President in the Chair.
Roll called - all present except Mr Robie.
Prayer by the Chaplain -

The President announced that the Speaker of the House and himself had appointed Mr A.S. Purdy Journal Clerk for both houses
The President administered the oath of office to Mr. Purdy. Journal Clerk also to Mr Angle. Member from Owyhee County -

By unanimous consent of the Council Mr Martin introduced C. B. No 15. an act to Compensate Wm Fraser and Geo. B. Hooker for services rendered and expenses incurred in the arrest of John Thomas and Charles W. Ringsley - Read 1st and 2d times and referred to Committee on Judiciary

By unanimous Consent of the Council Mr. Stalker introduced C. B. No 16. an act to dissolve the bonds of Matrimony between L. P. Higbee and Sophia E. Higbee
Read 1st and 2d times and on motion of Mr Foote, referred to a Special Committee Composed of Messrs Goulder, Howard and Commaday -

The President announced that he was about to sign H. R. No 1. also C. C. R. No 6.

Mr Martin presented a Statement from E. J. Curtis relative to the revission and Compilation of the laws &c. Which was read

for the information of the Council.

Reports of Committees.

Mr President.

Your Committee on Engrossed Bills have examined C. M. No 1. and C. B. No 10. and find the same correctly engrossed.

Howard
Chairman

Mr President:

Your Committee on Printing have examined the printed Copy of C. B. No 4. An Act to alter the Charter of Boise City, and beg leave to report that they find the same correctly printed

Goulder
Chairman

C. B. No 10. an Act relative to Roads in Oneida County was taken up, read 3d time and placed upon its final passage

The Question being - "Shall the Bill pass?" The Ayes and Nays were called and the Bill passed unanimously

Ayes - Messrs Angle, Brown, Cunningham Foote, Goulder, Hawley, Howard Martin, McNally, Prickett, Stalker and Mr President - 12

Nays - None
Absent - Mr Robie -

So the Bill passed -

C. M. No 1, relating to Government aid to Seattle and Walla Walla R. R. was taken

up, read 3d time and placed upon its final passage.
The question being - "Shall the Memorial pass?"
The Ayes and Nays were called;
Ayes - Messrs Brown, Forte, Gouden, Hawley
McNally, Prickett and Mr President - 7

Nays - Messrs Angell, Commaday, Howard,
Stalker - 5.

Absent - Mr Robie -.

So the Memorial passed.

Messages from the House.

House of Representatives
December 18th, 1874.

Mr President.

I am instructed to inform your honorable body that the House have passed the following bills, which are herewith transmitted, H. B. No 3. an act to tax National and other Banks in Idaho Territory. Also H. M. No. 5. in reference to the Assay office at Boise City Idaho.

I. D. Cahalan
Clerk House of Reps.

H. B. No 3. a Bill to tax Shares in National and other Banks in Idaho Territory was taken up, read 1st and 2d time and referred to Committee on Finance -

H. M. No. 5. relating to the U. S. Assay Office at Boise City was taken up, read 1st and 2d time and referred to Committee on Federal Relations -

On Motion of Mr Pricket, Council took a recess until 2 o'clock.

Afternoon Session
Council Chamber
2 o'clock P. M.

Council called to Order,
President in the Chair,
Roll called - All present - except Messrs Mc Nally and Robie -

Message from the Governor,

Executive Department -
Territory of Idaho,
Boise City. Dec 19th. 1874,

To the Hon. Council,

I have this day approved C. C. R. No. 6. relative the Portland, Dalles and Salt Lake Rail Road -

S. W. Bennett
Governor

Message from the House,

House of Representatives
December 19th. 1874.

Mr President.

I am instructed to inform your honorable body that the House has had under Consideration and passed H. M. No 3. Petitioning Congress against a division of Idaho Territory and respectfully ask the Concurrence of the Council thereto which is herewith transmitted

T. D. Cahalan
Clerk House of Representatives

By unanimous Consent of the Council Mr Pickett introduced C. B. No 17 An Act to provide for the purchase by the Territory of Idaho of the New Compiled and revised Code of Laws of Idaho Territory and for the payment therefor -

On Motion of Mr Pickett the Rules were suspended and C. B. No 17 referred to a Committee of the Whole -

Council resolved itself into a Committee of the Whole - Mr Hawley in the Chair -

Committee arose and reported the Bill back to the Council with the recommendation that it pass -

Report of the Committee of the Whole Concurred in by the Council -

On Motion of Mr Pickett the Rules were suspended C. B. No 17 Considered engrossed, read 3d time and placed upon its passage, the Question being - "Shall the Bill pass?" The Ayes and Nays were Called -

Ayes - Mssrs Angell, Brown, Commadey, Foote, Goulder, Hawley, Martin, McConaughy, Pickett, Stalker and Mr President - 11,

Nays - Mr Howard - 1,

So the Bill passed -

On Motion of Mr Brown. Council adjourned until Monday at 10 o'clock

E. J. Carr
Chief Clerk

E. J. Beatty
President of the Council

Fifteenth Day.

Council Chamber
Boise City, I.T.
Dec 21st, 1874

Council met- pursuant- to adjournment-
President in the Chair,
Roll called - All present- except Mr Robie -
Journal of Yesterday read and approved

Notice of Bills

Mr President.
I give notice that- I will at- an early day, introduce a bill to Create the County of Bear Lake,
Stalker,

Bills and Resolutions.

Mr Hawley introduced C. C. R. No 8, relating to Compensating Wm Paxton for Services rendered during 9th Session -
Read 1st and 2d times and refered to Committee on Finance -

Mr Prickett introduced the following Resolution.
Resolved.
That- a Special Committee to Consist- of one Member from each County be Appointed by the President- to revise the laws on the subject- of fees and Salaries of Officers in this Territory and to prepare and report- a bill Covering the whole subject- .
Which was adopted -

Mr Prickett introduced C. B. No 18.

An act to provide for the disposal of lands entered as town lots under the act of Congress
Read 1st and 2d times and referred to Committee on Incorporations -

Reports of Committees

Mr President -

Your Committee on Finance to whom was referred C. B. No 2 for the protection of the Territorial Treasury, beg leave to report thereon - they have fully Considered the subject matter of the bill and think that its passage would be of great public benefit - but as the provisions of the Bill can be very properly incorporated in the proposed new Revenue Laws we would recommend that it be placed in the hands of the Special Joint Committee on the revision of the Revenue Laws for their Consideration -

Hawley
Chairman Finance Committee

The report was adopted and the Bill referred to Joint Committee -

Mr President:

Your Committee Composed of the Boise County Delegation to whom was referred Council Bill No 9, report that they have had the Bill under consideration and recommend its passage with this amendment - Strike out the word "June" wherever it occurs in Section 1. and insert - "July"

Hawley
Lemmaday
Foote

Mr President,

Your committee on Federal Relations to whom was referred H. No. No 5 "in reference to the U.S. Assay office at Boise City, I.T. would respectfully report in favor of its passage

Howard
Chairman

Mr President.

The Judiciary committee to whom was referred Council Bill No 13. respectfully report that they have examined the same and find it to be short and easily understood. They therefore report the same back to the council without recommendation

Scott
Chairman Judt Com.

Mr President.

Your committee on Enrolled Bills beg leave to report that C. C. B. No 6 was presented to the Governor for his Signature, Dec 19th, A.D. 1874 at Six minutes Eleven O'clock A. M.

Goulder
Chairman

Mr President,

Your committee on printing beg leave to report that they have examined C. B. No 3. and that they find the same Correctly printed.

Goulder
Chairman

Mr President,

Your committee on Enrolled Bills have examined C. B. No 8. and beg leave to report that they find the same Correctly Enrolled

Goulder
Chairman

H. Rn. No 3. relating to the division of Idaho Territory was taken up, read 1st, and 2d time and on motion of Mr Hawley was made the special order for 2 oclock to. day -

C. B. No 13. an act relating to Sunday Laws was taken up, Mr Goode offered C. B. No 19 as a substitute for C. B. No 13, which was adopted,

On motion of Mr Hawley the Rules were suspended, C. B. No 19 Considered engrossed - read 3 time and placed upon its final passage -

The question being - "Shall the Bill pass?" The Ayes and Nays were called

Ayes - Mssrs Angell, Cannaday, Goode, Gouldey, Hawley, Howard, Martin Mc Nally, ~~Pickett~~ Stalker and Mr President - 10 -

Nays - Mssrs Brown and Pricket - 2

So the Bill passed -

H. Rn. No 5. relating to the U. S. Assay office was taken up, read 3d time and placed upon its final passage -

The question being - "Shall the Bill pass?" The Ayes and Nays were called -

Ayes - Mssrs Angell, Brown Cannaday, Gouldey, Hawley, Howard, Mc Nally, Pricket Stalker and Mr President - 10,

Nays - Mssrs Goode and Martin - 2

So the Memorial passed,

Co. B. No 9. - an act to provide for the Certification and registering of the Out-Standing

warrants of Boise County was taken up and the following amendment offered by the Boise Delegation Committee was adopted Strike out "June" wherever it occurs in Section 1st and insert "July" and ordered engrossed for a 3d reading -

C. B. No 12 an Act fixing the fees and Salaries of Certain officers in Boise County was taken up and ordered engrossed for a 3d reading

C. B. No 14, An Act to repeal Certain offices in Boise County was taken up and on motion of Mr Foote the Rules were Suspended the Bill Considered engrossed, Read 3d time and placed upon its final passage. The Question being - "Shall the Bill Pass? The Ayes and Nays were Called:

Ayes - Messrs Angell, Brown, Casnaday Foote, Goulder, Hawley, Howard Martin, Mc Nally, Pritchett and Stalker - 11 -

Nays - Mr President - 1

So the Bill passed -

On motion of Mr Hawley Council took a recess until 2 o'clock P. M.

Afternoon Session.

Council Chamber
2 o'clock P. M.

Council called to order,
President in the Chair -
Roll Called - All present except Mr Robie.

Messages from the House.

House of Representatives
Dec 19th, 1874.

Mr President,

I am instructed to inform your honorable body that the House have had under Consideration and passed H. M. No 6. asking the Secretary of the Interior to establish a land office at Malad City, in Idaho Territory and respectfully ask the Concurrence of the Council thereto, which is herewith transmitted -

L. D. Cahalan
Clerk of the House of Reps.

House of Representatives
Dec 21st, 1874.

Mr President,

I am instructed to inform your honorable body that the House have had under Consideration and unanimously passed C. M. No 1. relating to Government aid to the Seattle and Walla Walla Rail Road - also, C. B. No 10. to Authorize and empower the County Commissioners of Lincoln County to Construct roads, which are herewith transmitted

L. D. Cahalan
Clerk of House of Reps.

The President- Announced that-he had appointed the following committee on Code Messrs Foote, McNally, Brown, Martin, Carnaday, Stalker, Prickett, Howard and Goulden.

On motion of Mr Stalker, C.B No 18 was ordered printed.

On motion of Mr Prickett Council resolved itself into a Committee of the Whole to take under Consideration H. Mr. No. 5 relating to the division of Adams County

Mr Prickett in the Chair

The committee arose and reported the Memorial back to the Council, recommending its passage -

On motion of Mr Hawley the report was adopted,

On motion of Mr Prickett to suspend the Rules and place the Memorial on its final passage, was lost -

H. Mr. No. 6. relating to the establishing of a land office at Malad City was taken up - Read 1st and 2d time and referred to committee on Federal Relations

On motion of Mr Goulden, Council adjourned until tomorrow at 10 o'clock -

E. T. Beatty
President of the Council

E. T. Carr
Chief Clerk

Sixteenth Day.

Council Chamber
Boise City, I. T.
Dec. 22d, 1874.

Council met pursuant to adjournment
President in the Chair -
Roll Called - All present except Messrs
Robie, Goulder and Foote -
Mr Foote was granted leave of absence
for three days -
Journal of yesterday read and approved.
Mr Howard introduced C. B. No 20,
An act to define the boundaries of Alturas
County and for other purposes -
Read 1st and 2d times and referred to
Committee on Counties and County
Boundaries -

Reports of Committees.

Mr President,
Your Committee on
Federal Relations to whom was referred
H. M. No. 6 have examined the same
and recommend its passage

Howard
Chairman

H. M. No 6. relating to the Establishing
of a Land Office at Malad City was
taken up - read 3d time and placed
upon its final passage -
The Question being - "Shall the Memorial
pass?
Called
Ayes -
The Ayes and Nays were
Messrs Argyle, Brown
Leonard, Hawley, Howard

Martin. Mc Sally. Prickett. Stalker
and Mr President — 10

Nays — None

Absent — Messrs Foote. Goulden and
Robie — 3 1

So the Memorial Passed

On motion of Mr Hawley, Council took a recess until 2 o'clock —

Afternoon Session.
2 o'clock P. M.

Council Called to order —
President in the Chair —
Roll Called — All present — except
Messrs Foote, Robie and Martin —

Reports of Special Committee

Mr President:

Your Special Committee
to whom was referred C. B. No 16. beg
leave to report that they have had ~~under~~
the same under Consideration and
would recommend its passage —

Goulden
Chairman

Mr President —

Your Committee on
Incorporations have had under Consid=
eration C. B. No 4 an Act to alter the
Charter of Boise City and beg leave to
report the same back with the following
Amendments

We recommend the following Substitute
for Section 1st of the Bill —

Section 1. The limits and bounds of Boise City shall be the same as are described and set forth in the patent issued by the United States for the town site thereof, and according to the Official plat of the survey of said city, returned to the Recorder of said Ada County on file in his office.

In Section 4. 6th line Strike out the words "Number" and insert in the place thereof the word "Member"

In Section 10, Strike out the words "or prohibit" and after the word "nature" add the Clause "and may prohibit any exhibition of an immoral or indecent Character" -

In Section 11. In 2d line after the word "limit" insert the words "but all taxes levied upon such person shall be made uniform".

In Section 12 - Strike out in first line the words "or prohibited" -

In Section 13. Strike out in first line the word "Vacate" and in the third line after the word "purpose" insert the Clause "on petition of the owners of two thirds of the property affected thereby" -

In Section 16. after the word "Majority" in third line, add the words "in interest" and in fourth line, Strike out the word "resident" and after the word "Made" in fifth line, Strike out all of the rest of the Section -

In Section 18. In 3d line Strike out the words "or four fifths of the Members of the City Council" We also, Seriously doubt the wisdom of granting to the Common Council the right to

give private individuals the right to Construct water works except under very stringent regulations but will make no recommendation thereon.

In Section 23 Strike out the words "It shall have the power to Construct a City Jail or" we think it unnecessary to subject the taxpayers of Boise City to the expense of the Construction of a City Jail while the Jail of the County is situated within its Corporate boundaries,

We, also, recommend that an additional Section be inserted, giving power to the City Council to regulate the ~~flowing~~ of water through the Streets —

We would recommend that the Office of City Assessor be dispensed with, and that the Assessment roll of the County be taken as the City Assessment roll, as regards property within the City limits;

This would save the expense of assessing City property for City purposes and give to the City Authorities as correct an assessment roll as could be attained by a purely local officer. —

Most of the amendments proposed by the Committee are restrictions of power Conferred on the Common Council, by the provisions of the bill, we think it unwise and ~~improper~~ legislation to grant any further power to Municipal Corporations than are actually essential for their effectual government as the history of such bodies all over the land, has proven that powers so granted, are in Many Cases abused and made instruments of extortion and oppression

We would earnestly recommend the

passage of the proposed amendments and in order that the same may be fully discussed and better understood by the Members of this Council we would further recommend that the Bill be made a Special Order, and Considered in Committee of the Whole.

Stalker
Chairman

Notice of Bills.

Mr President,

I hereby give notice that I shall at an early day introduce an Act defining the meaning and intentions of repealing sections of Legislative enactments

Caunaday

C. B. No 16. An Act to dissolve the bonds of Matrimony existing between L. P. Higbee and Sophia E. Higbee were taken up.

On motion of Mr Caunaday the Rules were Suspended the Bill Considered engrossed, read 3d time and placed upon its passage - The Question being - Shall the Bill pass? The Ayes and Nays were Called -

Ayes - Messrs Angell, Brown, Caunaday Gouden, Hawley, Mc Nally, Stalker - 7

Nays - Messrs Howard and Prickett 2 -

Absent - Messrs Todd and Robi - 2

So the Bill passed -

At 2.15 P. M. the President announced that he was about to Sign C. B. No 8.

On Motion of Mr Hawley the report of the Committee to whom was referred C.B. No 4 was adopted and the Bill made the Special order for 3 o'clock to day -

H. M. No 3 relating to the Division of Idaho Territory, was taken up, read 3d time and passed upon its passage -

The Question being - "Shall the Bill pass?"
The Ayes and Nays were called;
Ayes - Mess's Cunnaday, Hawley, McBaldy Pickett; Slaltin and Mr President - 6

Nays - Mess's Angle, Brown, Goulder, Howard, and Martin - 5

Absent - Mess's Scott, and Robie - 2

So the Memorial passed -

Mr Goulder gave Notice that he would enter a protest against the passage of the Memorial -

Messages from the House

House of Representatives
December 22d, 1874

Mr President

I am instructed to inform your honorable body that the House have passed the following bills, which are herewith transmitted, and respectfully ask the Concurrence of the Council therein -
House Memorial No 4 relating to the removal of the Shoshone and other tribes of indians from Fort Lemhi to Fort Hall in Idaho Territory

Also. H. B. No 11. An act to amend and explain an act entitled "An act Concerning hogs found running at-large in Ada County, in the Territory of Idaho. Approved Jan. 11th, 1866" — Also. H. B. No 13. to provide a Jailor in the County of Owyhee. Also, C. B. No 14. fixing the fees and Salaries of Officers in Boise County.

which are herewith transmitted.

T. D. Cahalan
Clerk House of Representatives

House of Representatives
December 21st, 1864

Mr President,

I am instructed to inform your honorable body that the House have had under Consideration and pursue, C. B. No 17. An act to provide for the purchase by the Territory of Idaho, of the New Code of Laws prepared by Hon. E. J. Curtis for the use of the Territory and for the payment thereof; in the 7th line of Section 2d. Strike out the word "One" and insert, in lieu thereof the word "two"

And respectfully ask the Concurrence of the Council to the Amendments. which are herewith transmitted —

T. D. Cahalan
Clerk House of Representatives

Message from the Governor.

Executive Department
Idaho Territory.
Boise City, Dec. 22, 1864.

To the Hon. Council

I have this day approved C. B. No 8. Entitled "An act granting leave of absence to William Kelly, Recorder

and Auditor elect for Ottawa County -

H. W. Bennett
Governor -

Report of Committee on Engrossed Bills

Mr President;

Your Committee on Engross=ment report back Senate Bill No 12 Correctly engrossed -

Howard
Chairman

Report of Committee on Enrolled Bills

Mr President,

Your Committee on Enrolled Bills, Report that they presented C. B. No 8 to the Governor, on Tuesday, Dec, 22d 1874 at 15 minutes past 2 o'clock P. M.

Gouldin,
Chairman.

H. B. No 13. An Act to provide a Jailor in the County of Cowpen was taken up, read 1st and 2d times and referred to the Delegation from Cowpen.

H. B. No 11. An Act to Amend and extend an Act "Entitled an Act Concerning hogs found running at large in Ada County" was taken up, read 1st and 2d times and referred to the Delegation from Boise County

H. B. No 10, An Act to empower the Assessor of Cowpen County to Collect taxes, was taken up, read 1st and 2d times and referred to Committee on Judiciary

H. R. No 4. relating to the Shoshone, Bannocks and Sheep and Eatin indians. was taken up, and read 1st and 2d time.

On motion of Mr Lannaday the rules were suspended. the Memorial read 3d time and placed upon its final passage -

The Question being upon the passage of the Memorial the Ayes and Nays were called -

Ayes - Messrs Angell, Brown, Lannaday, Hawley. Howard, Martin, Mc Grady Prickett, Stalker and Mr President - 10

Nays - None

Absent - Mrs Scott, Goodell and Robie - 3.

So the Memorial passed.

S. B. No 17 relating to the purchase of the New Code of Laws, was taken up -

The Question being, "Shall the Amendment to Concurrence in" The Ayes and Nays being called;

Ayes - Messrs Upon Concurring in House amendment to Section 2d - The Amendment was Concurred in

So the Amendment was adopted

S. B. No 9. an act to provide for the duplication and registering of the outstanding Warrants of Boise County was taken up and on Motion of Mr Hawley, referred to Committee on Judiciary with instructions to amend or prepare a substitute -

S. B. No 13 an act fixing the fees and

Salaries of Officers of Boise County, was taken up, read 3d time and placed upon its final passage -

The Question being, "Shall the Bill pass?" The Ayes and Nays were then called Ayes - Messrs Angell, Brown, Cannaday Hawley, Howard, Martin, McNally Prichett, Stellan and Mr President - 10

Nays - None

Absent - Messrs Foote, Goulder and Robie - 3

So the Bill passed.

On Motion of Mr Hawley, Council resolved itself into Committee of the Whole to take under Consideration C.B. No 4 An Act to Alter the Charter of Boise City -

Committee of the Whole, Mr Hawley in the Chair - Committee arose reported progress and asked leave to sit again.

On Motion of Mr Prichett the report was adopted -

On Motion of Mr Brown, Council adjourned until 10 o'clock to-morrow

E. T. Beatty
President of the Council

E. D. Coon
Chief Clerk.

Seventeenth Day.

Council Chamber
Boise City, I. T. Dec. 23d. 1874

Council met pursuant to adjournment.
President in the Chair.
Roll called. All present except Mess'rs Foote, and Robie.
Prayer by the Chaplain.
Journal of Yesterday, read and approved.

At 10. 20 A.M. the President announced that he was about to sign H. R. No 5, relating to U. S. Assay office, also, H. R. No 6, relating to a Land Office at Malad City.

Notice of Bills.

Mr President,

I hereby give notice that I shall, at an early day, introduce an Act amending an act, relating to Insurance Companies.

Carmaday

Mr Carmaday introduced C. B. No 21, an Act defining the meaning and intention of repealing sections of Legislative enactments. Read 1st. and 2d times and referred to Committee on Judiciary.

Mr President,

The undersigned one of the Judiciary Committee, to whom was referred C. B. No 15 "to Compensate Wm Fraser and George Hooten for services rendered" respectfully report that the Committee has Considered the same and have enquired into the facts

upon which ~~Data~~ Claim is based; which facts are as follows:

That in the fall of 1870 the Claimants were the owners of two horses and saddles, which were stolen from their possession in Owyhee County by two persons; that on their own volition they pursued the thieves in the direction of Elko, Nevada and at Cope District Nevada they procured a warrant for their arrest; that near Elko in the State of Nevada they Captured the offenders and caused them to be lodged in jail at Elko to await a requisition from the Governor of this Territory, for their removal, that in due time such requisition was received by them, in and by which B. G. Hosten, one of the Claimants was appointed agent to bring the prisoners to Idaho. That prior to starting from Elko, one of the prisoners escaped, and that the other was brought back and was tried and Convicted of Grand larceny. The laws of this Territory do not provide for the payment for Services and expenses of agents appointed to execute requisitions and the whole matter of Compensation to such agent is left to the discretion of the Legislature to allow such sum as they deem proper in such particular case, upon implied Contract or the equitable Claim of the parties for the Services and expenses under the requisition.

The undersigned, in the absence of the Chairman of the Committee with the above statement of facts, returns the bill, without recommending particular Sum to be allowed leaving that matter to be fixed by the Council.

Prickett of the Committee

Mr President:

Your Committee on Finance beg leave to report that they have had under Consideration C. B. No 3. an Act to provide for the issuance of new bonds &c" and recommend its passage with the following amendments, viz line 5 of Section 6 in blank space place the word "ten" - Sec Section 10 line 11 in place of word "Collection" use the word "Cancellation" - In Section 16, line 1, in place of word "whenever" use the word "Wherever"

Respectfully Submitted,
Hawley
Chairman Finance Com.

On motion of Mr Prickett, St Michaels Church was granted the privilege of using the Chairs now in use by the Council, on Christmas evening -

Mr Prickett introduced the following Bills, to wit;

C. B. No 22 an act to regulate the Settlement of the estates of deceased persons.

C. B. No 23 an act - Concerning Crimes and punishments -

C. B. No 24 an act - to prevent officers from dealing in certain securities,

C. B. No 25 an act - relating to Bonds, Due Bills &c -

C. B. No 26. an act - Concerning Roads ~~and~~ Highways &c -

C. B. No 27 an act - to protect certain game in Idaho Territory

C. B. No 28 an act - defining the time of Commencing Civil actions -

C. B. No 29 an act - to provide for the formations of partnerships -

C. B. No 30 an act- Concerning County Recorders and Auditors -

C. B. No 31 an act- defining the rights of Husband and wife

C. B. No 32 an act- regulating Divorces -

C. B. No 33 an act- Concerning Commissioners of Deeds -

C. B. No 34 an act- regulating Mortgages -

C. B. No 35 an act- Concerning Guardians

C. B. No 36 an act- Concerning fraudulent- Conveyances and Contracts -

C. B. No 37 an act- relative to Bills of Exchange and promissory Notes -

C. B. No 38 an act- to exempt- the homestead and other property from forced sale in Certain Cases -

C. B. No 39 an act- Concerning Corporations -

C. B. No 40 an act- Concerning County Treasurers

C. B. No 41 an act- Concerning Chattle Mortgages -

C. B. No 42 an act- Concerning the writ of Habius Corpus -

C. B. No 43 an act- relative to Attys at- Law -

C. B. No 44 an act- Concerning Coroners -

C. B. No 45 an act- adopting the Common Law of England

C. B. No 46 an act- in relation to Money of Account- and interest -

C. B. No 47 an act- Concerning Conveyances -

C. B. No 48 an act- Concerning County Sheriffs -

C. B. No 49 an act for the protection of Fish.

All of which were read 1st and 2d times and referred to the Committee on Code -

C. B. No. 15 an act to Compensate Wm Frazier and Geo. Hooker &c was taken up and on motion of Mr Howard, referred to Committee of the Whole -

C. B. No 3 an act relating to the issuing of new Bonds &c was taken up and the following amendments thereto adopted In Section 6. 5th line in blank space insert the word "ten" In Section 10. 11th line in place of the word "Collection" insert the word "Cancellation" - In Section 16 1st line, in place of the word "Whereas" also insert - the word "Whereas", also, in 3d line strike out the words "he may do" and insert - instead thereof the word "And" after which the Bill was ordered engrossed for a 3d reading -

On motion of Mr Hawley resolved itself into Committee of the Whole to take under Consideration, C. B. No 4 Mr Cannaday in the Chair -

Committee arose and reported the Bill back recommending the adoption of Certain amendments thereto, which on motion of Mr Hawley were adopted

On motion of Mr Hawley, Council took a recess until 2 o'clock -

Afternoon Session.

Council Chamber
2 o'clock P. M.

Council called to order,
President in the Chair.
Roll Called - all present, except Messrs Robie, Frost and Learmonday
On Motion of Mr Hawley, Council took a recess until 3,15 P. M.

Council Chamber,
3, 15 P. M.
Council called to order,
Roll called - all present except Messrs Cargill, Brown, Frost, Martin and Robie -

Message from the House

House of Representatives
Dec 23d, 1874.

Mr President;
I am instructed to inform your honorable body that the House have had under consideration and passed C, B, No 12 An act fixing the fees and Salaries of Officers of Boise County, also, C. B. No 16 An act to dissolve the bonds of Matrimony existing between L, P. Higbee and Sophia E. Higbee which are herewith transmitted

J. D. Cahalan
Clerk of House of Representatives

House of Representatives
Dec 23d 1874.

Mr President-

I am instructed to inform your honorable body that the House have passed the following bills, which are herewith transmitted and respectfully ask the Concurrence of the Council thereon!

H. B. No 2, An act to provide for the registration of the names of electors, and to prevent fraud at elections, also,

H. B. No 14, An act granting aid to Construct a road in Idaho County, also,

H. M. No 7. praying for an appropriation for the Construction of a wagon road from Northern to Southern Idaho. Also

H. B. No 9. An act relating to enclosures in this Territory —

S. D. Cahalen
Clerk House of Representatives

Mr President.

I move the following amendments to C. B. No. 4. An act to amend the Charter of Boise City, in Section 15, line 1. Strike out the word "Vacate", the Question being - Shall the Amendments be adopted? The Ayes and Nays were Called. "Ayes - Messrs Beaucadien, Goulder, Hawley Howard, McNally, Stalker and Mr President - 7

Nays - Mr. Pickett - 1

Absent - Messrs Angell, Brown, Foote Martin and Robie - 5

So the Amendment was adopted.

Mr President-

I move that the following Amendment to C.B. No 4 an act to the Charter of Boise City, in Section 16 lines 5 and 6 Strike out the words "until three fourths of all the members of the City Council shall by vote assent to making the same, The Question being "Shall the Amendment be adopted" The Ayes and Nays being called Ayes - Messrs Eamonday, Goulder, Hawley, Howard, Mc Nally, Prickett Stalker and Mr President - 8

Nays - None

Absent - Messrs Angle, Brown, Martin and Robie - 5

So the Amendment was adopted -

Mr President,

I move that the following amendment to C, B. No 4. an Act to the Charter of Boise City", in Section 18, line 3 Strike out the Clause "or four fifths of the members of the City Council" The Question being - Shall the Amendment be adopted? The Ayes and Nays were called

Ayes - Messrs Eamonday, Goulder Hawley, Howard, Mc Nally, Prickett, Stalker and Mr President - 8

Nay - None

Absent - Messrs Angle, Brown, Goode Martin and Robie - 5

So the Amendment was adopted -

Mr President-

, I move that-the following amend-ment-to C.B. No 4 An act-to the Charter of Boise City" That-Section 20 be Stricken out-entirely- The question being-"Shall the Section be Stricken out"- The Ayes and Nays were Called-

Ayes - Messrs Lannaday, ~~Gooding~~, Hawley, Howard, Mc Nally, ~~Stalker~~ and Mr President- 5

Nays- Messrs Gooding, Prickett and Stalker - 3

Absent Messrs Angell, Brown, Foote, Martin and Robu - 5

So the Section was Stricken out-

Hawley

On Motion of Mr Hawley C.B. No 4 was taken up and the following amend-ments to Sections 15, 16, and 18 offered and the Bill ordered engrossed for a 3rd reading

On Motion of Mr Lannaday, Council resolved itself into a Committee of the Whole to take up for Consideration C.B. No 13,

Mr Lannaday in the Chair-

Committee arose and reported the Bill back recommending its passage as amended

On Motion of Mr Lannaday the Rules were Suspended C.B. No 13- Considered engrossed read 3d time and placed upon its final passage-

The Question being-"Shall

the Bill pass? The Ayes and Nays were called -

Ayes - Messrs Cannaday, Goodwin, Hawley, Howard, McNally, Prickett and Walker - 7

Nays - Mr Pennebaker - 1

Absent - Messrs Angell, Brown, Isbell, Martin and Robie - 5

So the Bill passed

On motion of Mr Prickett Council adjourned until 10 o'clock tomorrow

E T Beatty
President of the Council

E. T. Carr
Chief Clerk,

Eighteenth Day.

Council Chamber.
Boise City. Dec. 24th, 1874

Council met pursuant to adjournment.
President in the Chair.
Roll called, all present except Messrs Toole and Robie.
Prayer by the Chaplain.
Journal of Yesterday read and approved.

Reports of Committees.

The Committee on Enrolled Bills made the following report:

Mr President.

Your Committee on Enrolled Bills have examined C. B. No. 1. and beg leave to report that they find the same correctly enrolled.

Goulder
Chairman

The Committee on Finance made the following report:

Mr President.

Your Committee on Finance to whom was referred C. B. No. 8 An Act for the relief of Wm Paxton have investigated the subject and report the following facts in relation thereto—

We find that Mr Paxton was Sergeant-at-Arms of the House during the last Session of the Legislature, and in obedience of the requests of the House arrested members and summoned witnesses the fees amounting to $76.50 — According to the practice heretofore adopted the Territorial Controller, should have at once drawn his warrant in favor of Mr Paxton for the amount Claimed but

on account of personal difficulties referred so to do although he acknowledges it was the usual Course.

The Corrections of Mr Paxtons Bill is vouched for by Hon S. S. Fenn Speaker of the House, 7th Session, attested by James H. Hawley Chief Clerk and approved in writing by Governor Bennett. We also find endorsed upon the Bill the Statement of Mr Thompson Deputy Controller under Oath, to the effect that the Controller should have immediately drawn his warrant in favor of Mr Paxton. We have correctly reported the facts of the Case. Whether upon the Statement made, Mr Paxton is intitled to the relief Claimed the Committee will not attempt to decide but report the Bill back to the Council without recommendation.

Respectfully Submitted
Hawley
Chairman

Message from the House.

House of Representatives
Dec 24th, 1874.

Mr President-

I am instructed to inform Your honorable body that the House have passed the following bills. which are herewith transmitted, and respectfully ask the Concurrence of the Council therein-

H. B. No 4. "An act to reapportion the members of the Legislature of Idaho. Also. H. B. No 16 An act for the protection of Quail in Idaho.

T. D. Caballero
Clerk of the House of Representatives

Mr Prickett introduced the following bills, to wit:- C. B. No 50 "An act to regulate proceedings in Civil Cases"; C. B. No 51. An act to regulate proceedings in Criminal Cases" C. B. No 52, "An act in relation to Public Officers C. B. No 53, "An act Concerning District Attorneys" - C. B. No 54. "An act relating to Elections"; all of which were read 1st and 2d times and referred to Special Committee on Each -

By unanimous Consent of the Council, Mr Goulder introduced C. B. No 55 "An act to dissolve the bonds of Matrimony existing between Ernestine Schnable and Julius Schnable, Read 1st and 2d times and referred to Special Committee Composed of Messrs Stallcup, Hawley and Brown -

H. M. No 7. relating to a Wagon road between Northern and Southern Idaho, was taken up. Read 1st and 2d times and on motion of Mr Brown, the Rules were suspended the Memorial read 3d time and placed upon its passage. The Question being - "Shall the Memorial pass?" The Ayes and Nays were called -

Ayes - Messrs Angell, Brown, Commaday, Goulder, Hawley, Martin, McNulty, Prickett; Stallcup and Mr President - 10.

Nays - None.

So the Memorial passed.

H. B. No. 14, "An act granting aid to Construct a wagon road in Idaho County" taken up, read 1st and 2d time and referred to Committee of Roads and Highways -

H. B. No 9. "An act relating to enclosures", was taken up, read 1st and 2d time and referred to Committee on Agriculture.

H. B. No 2. "An act to provide for the registration of Electors, was taken up, read 1st time." Mr Hawley moved that the Bill be now read 2d time - and duly - the Bill be rejected -

The Question being "Shall the Bill be rejected?"

The Ayes and Nays were called

Ayes - Messrs Angell, Brown, Cunningham, Gordon, Hawley, Martin, McNally, Stalker and Mr President - 9 -

Nays - Mr Pickett - 1.

So the Bill was rejected.

H. B. No. 11. "An act Concerning hogs" was taken up and Considered, On Motion of Mr Cunningham the Bill was laid on the Table.

H. B. No. 8. relating to Compensating Mr Paxton was taken up and on Motion of Mr Brown was made the Special Order for 3 o'clock to day.

H. B. No 4. "An act to reapportion the members of the Legislature of Idaho", was taken up, read 1st and 2d times and referred to Committee of Counties and County Boundaries,

H. B. No 16. "An act for the protection of Fish", was taken up read 1st and 2d times and refered to Special Committee on Code -

H. B. No. 17 "an act for the protection of Quail", was taken up, read 1st and 2d times and refered to Committee on Code -

On motion of Mr Goulden, Council took a recess until 2 o'clock.

Afternoon Session.

Council Chamber
2 o'clock P. M.

Council Called to Order.
President in the Chair.
Roll Called - all present - except Messrs Foote, Goulden, Robie and Howard -

H. B. No 11. Concerning hogs, was taken up read 3d time and placed upon its passage.
The Question being - "Shall the Bill pass?"
The Ayes and Nays were taken,
Ayes - Messrs Angell, Brown, Cannaday, Hawley, Martin, McNally, Prichett Stalker and Mr President - 9

Nays - None
So the Bill passed -

S. B. No. 13 "An act - to provide a Jailor in Owyhee County, was taken up, read 3d time and placed upon its passage.
The question being - Shall the Bill pass?
The Ayes and Nays were taken,
Ayes - Messrs Angell, Brown, Cannaday, Hawley, Martin, McNally, Prichett Stalker and Mr President - 9

Nays - None
So the Bill passed.

Report of Judiciary Committee

Mr President:- Your Committee on Judiciary to whom was referred S. B. No 21 respectfully report that they have examined the same and herewith return it with an Amendment, and recommend that it be Amended in accordance therewith and then passed.

N. E. Prickett
for Committee.

S. B. No 21 was taken up, Amendments offered and adopted, read 3d time placed upon its passage.

The Question being - "Shall the Bill pass - The Ayes and Nays were taken

Ayes - Messrs. Angell, Brown, Carmaday Hawley. Martin, McNally, Prickett Stalker and Mr President - - 9

Nays - None.

So the Bill passed.

By unanimous Consent of the Council Mr Carmaday introduced S. B. No 56 "An Act to dissolve the bonds of Matrimony between Minnie McCarty and Jeremiah McCarty, read 1st and 2d times and referred to Judiciary Committee

On Motion of Mr Hawley Council adjourned until Monday at 10 O'Clock

E. T. Carr
Chief Clerk

E. T. Beatty
President of the Council

Twenty Second Day.

Council Chamber,
Boise City, I. T. Dec. 28th, 1874.

Council met pursuant to adjournment.
President in the Chair.
Roll Called - all present except Mr[s]rs Gowdy
Martin, Pickett and Robie.
Journal of Dec. 24th, read and approved.

Mr Stalker introduced C. B. No. 57. "An
Act Creating the County of Bear Lake" -
Read 1st and 2d time and refered to
Committee on Counties and County Boundaries.

Mr Hawley introduced C. B. No 58. "An
Act for funding the debt of Boise County"
Read 1st and 2d time and refered to the
Committee on Finance. On motion of
Mr Hawley the usual number of Copies
of the Bill were ordered printed.

Mr Hawley introduced C. B. No 59. "An
Act to provide for the payment of all
Current Expenses of Boise County";
Read 1st and 2d times and refered to
Committee on Finance, 50 Copies ordered
printed -

Reports of Committees.

Mr President -

Your Committee on Enrolled
Bills would report that they have
examined C. B. Nos 16 & 17 and find
them Correctly engrossed.

Goodwin
Chairman

Mr President, Your Committee on Roads

and Highways to whom was referred H. B. No. 14. have considered the same, and would recommend its passage.

Barron
Chairman

Mr President.

Your Committee on Agriculture, to whom was referred H. B. No 9. have carefully considered the same, would respectfully recommend its passage —

Stalker
Chairman

Mr President. Select

Your Committee to whom was referred H. B. No 55 "An Act to dissolve the bonds of Matrimony between Ernestine Schnable and Julius Schnable" have had the same under Consideration and by leave to report the same back to the Council; And your Committee deem it proper to submit — them with a Statement of facts in relation to the same, Ascertained by the Committee upon investigation

The evidence adduced before us Shows That the petitioner was married to Julius Schnable in the early part of 1869. that the issue of said Marriage, is two Children a girl aged four. and a boy of three years of age, that her husband was of extremely indolent habits and inclination generally preferring to remain at home while his wife went forth and by her daily labor procured the necessaries of life for herself. her Child and husband; That for a period prior to the birth of her second child she was unable to perform the usual routine and tasks of labor for the

support of the family, his husband then deserted her leaving her without property, home or any means whatsoever, and she was compelled to seek refuge with her sister. That once since his first desertion, at the time of the birth of her second child he visited her at her bedside, remaining some half an hour, and since which time over three years - she has had no tiding of or from him, received aid or support from him directly or indirectly, and she is now totally ignorant of his whereabouts or even his existence.

In view of these facts shown conclusively to your committee, and further, in view of the fact that parties to an action for divorce under our Statutes are debarred from testifying in their own behalf, thus rendering a resort to Courts often futile, because of the absence of strictly legal testimony, your committee unanimously recommend the passage of the Bill

Stalker
Chairman

Message from the House,

House of Representatives,
Dec 24th, 1874,

Mr President,

I am instructed to return to your Honorable body S. B. No. 15 & 21 relating respectfully to Compensation to Wm Travers and B. G. Hooker for services rendered" and an Act defining the meaning and intention of repealing Retroactive Legislative enactments, for engrossment and Correction

T. D. Cahalan
Clerk of House of Representatives

H. B. No 14. "An Act granting aid to construct a Road in Selako County" was taken up, read 3d time and placed upon its passage - The question being "Shall the Bill pass? The Ayes and Nays were taken -

Ayes - Mess Angell, Brown, Cannaday, Frost, Gowdun, Hawley, Howard, Martin, Mc Nally, Prickett, Stattler and Mr President - 12 -

Nays - None

Absent - Mr Robie - 1

So the Bill passed.

H. B. No 55. "An Act to dissolve the bonds of Matrimony between Ernestine Schrable and Julius Schrable, was taken up and ordered engrossed for 3d reading.

H. B. no 9, an Act relating to Inclosures in this Territory, was taken up and the usual number of Copies of the same ordered printed -

At 11 A. M. the President announced that he was about to sign S. B. No 16, also, H. M. No 3. also. ~~S. B.~~ H. B. No 17 also H. B. No 13, also H. M. No. 7, also S. M No 1. also H. B. No 4, also H. M. No 3.

On motion of Mr Cannaday, Council to a recess until 3 o'clock.

Afternoon Session.

3 o'clock P. M.

Council called to order.
President - in the Chair.
Roll Called - all present - except Messrs Angel and Robie.

Special Order for 3. P. M.

Council resolved itself into Committee of the Whole, to take under Consideration L. C. R. No. 8. relating to Compensating Wm Paxton for Services rendered during 7th Session,
Mr Prickett in the Chair,
Committee arose and reported the Resolution back to the Council & recommend it be indefinitely postponed, report of Committee adopted.

Reports of Committees.

Mr. President,
Your Committee on Engrossed Bills, have examined the L. Bs. Nos 15. 21 & 55 and find them Correctly engrossed -

Howard
Chairman

Mr President -
Your Committee on Enrolled Bills beg leave to report - That - L. Bs Nos 17 and 16 also L. Dr. No. 1, were presented to the Governor for his Signature at one o'clock P. M. December 28th, A.D. 1874.

Goodeve
Chairman

Mr President:

Your Committee on Enrolled Bills beg leave to report that they have examined C. B.s Nos 10 and 14 and that they find the same correctly enrolled.

Goulder
Chairman

Mr Hawley introduced C. B. No 60, "An Act to abolish the Hospital Tax in the County of Boise" read 1st and 2d time and referred to Boise County Delegation

C. B. No 55, "An Act to dissolve the bonds of Matrimony between Ernestine Schnable and Julius Schnable was taken up, read 3d time and placed upon its passage The Question being - Shall the Bill pass? The Ayes and Nays were taken.

Ayes - Messrs Brown, Counaday, Foote Goulder, Hawley, Martin, McNally Stalker - 8

Nays - Messrs Howard, Prichett and Mr President - 3.

So the Bill passed.

Message from the Governor.

Executive Department
Territory of Idaho
Boise City, Dec. 28th, 1874

To the Council,

I have this day approved C. B. No 16" an Act to dissolve the bonds of matrimony between Leymen C. Higbee and Sophia E. Higbee"

Also. H. B. No 17. "An act to provide for the purchase by the Territory of Idaho of the New Compiled and revised Code of Laws of Idaho Territory and for the payment thereof.
Also. H. W. No. 1. in relation to the Seattle and Walla Walla Rail Road

I. W. Bennett
Governor.

Report of Special Committee on Code.

To the Hon. Council
of Idaho Territory.

Your Committee to whom were referred the several acts of the Compiled and revised Laws, respectfully beg leave to report that we have examined the Probate Act: H. B. No 22 the act relating to fraudlent Conveyances. H. B. No 36 and recommend that the former be passed with Amendments, to wit: In Section 52 & Strike out the words "the Public Administrator", and the word "Eleventh" in lines "21 & 22, as contained in the slip on the Margin, And in Section 63 in line 4. Substitute the words "prima facia" for the word "Conclusive" as noted in Section 12 & to Strike out "fifteen hundred dollars" and insert the words "three thousand dollars" as noted. In Section 308, Strike out the words as noted and to strike all the remaining Sections of the act after Section 325; and the duties of said acts to be amended by ~~Strick~~ Striking out in line 11 of Section 15 the word "Conclusive" and insert the word "presumptive", and recommend the passage of H. B. No 31 without Amendment.

Scott
Chairman

C. B. No 22, "An act to regulate the Settlement of the estate of deceased persons, was taken up and the Amendments as recommended by Special Committee adopted -
On motion of Mr Prickett the Rules were suspended, the Bill Considered engrossed read 3d time and placed upon its passage -
The Question being - "Shall the Bill pass?"
The Ayes and Nays were taken
Ayes - Mess Angle, Brown, Counaday, Foote, Goulden, Hawley, Howard, Martin, McNally, Prickett, Stalker and Mr President - 11.

Nays - None

So the Bill passed.

At 4. 10. P. M. the President announced that he was about to sign C. B. No 10.

C. B. No 36. "An act - Concerning Fraudulent Conveyances and Contracts was taken up and Considered. On Motion of Mr Foote the Rules were suspended, the Bill Considered engrossed, read 3d time and placed upon its passage -
The Question being "Shall the Bill pass?" The Ayes and Nays were taken
Ayes - Mess Angle, Brown, Counaday, Foote, Goulden, Hawley, Howard, Martin, McNally, Prickett, Stalker and Mr President - 11

Nays - None

Absent Mr Robin

So the Bill passed.

C. B. No, 31. "An Act defining the rights of Husband and Wife when taken up and Considered.

On Motion of Mr Hawley the Rules were suspended, the Bill Considered engrossed, and 3d time and placed upon its passage -

The Question being "Shall the Bill pass?" The Ayes and nays were taken -

Ayes Messrs Angle, Brown, Commaday, Foote, Goulder, Hawley, Howard, Martin, McNally, Prichett, Stadden and Mr President -- 11

Nays - None

Absent - Mr Robie

So the Bill passed.

On motion of Mr McNally Council adjourned.

E. T. Carr
Chief Clerk

E T Beatty
President of the Council

Twenty Third Day.

Council Chamber.
Boise City. D. T. Dec 29th, 1874

Council met pursuant to adjournment.
President in the Chair.
Roll called, all present except Messrs
Robie and Hawley -
Journal of Yesterday read and approved.
The President announced that he had
granted leave of absence for one day to
Mr Hawley also. to Mr Baskin, door keeper

Message from the House.

House of Representatives
Dec. 29th. 1874.

Mr President.

I am instructed to inform your honorable body that the House have passed the following bills which is herewith transmitted and respectfully ask the Concurrence of the Council therein.
H. B. No 21. "An act to encourage the Growth and Culture of forest trees" in Idaho Territory"

E. D. Calahan
Clerk House of Representatives

Reports of Committees.

Mr President.

Your committee on Printing beg leave to report - that - they have examined Council Bill No 18 and find the same passably well printed also, that - they hope to be able to report upon the Governors Message and accompanying reports sometime in the early future.

Sparkes, Chairman

Mr President:-

Your Committee on Enrolled Bills beg leave to report:- that- they have examined S. B. No 12, and find the same Correctly enrolled, also, that- S. B. No. 10, was presented to the Governor for his signature, December 28th, A.D. 1874 at- 15 minutes past- 4 o'clock P. M.

Gooding
Chairman

Mr President;

Your Committee to Whom was referred H. B. No. 5, relating to Herding Sheep in Idaho Territory", beg leave to submit- the following Amendment and recommend its passage

Stalker
Chairman

Mr President,

Your Committee to Whom was referred S. B. No 18. "An Act- relating to the disposal of lands under the "Town Site" Act, have had the same under Consideration and beg leave to recommend its passage

Stalker
Chairman,

Mr Brown introduced S. B. No 61, "An Act- providing for the sale of County property in Shoshone, Nez Perce and Idaho Counties" Read 1st and 2d time and referred to Committee on Counties and County Boundaries-

H. B. No. 5. "An Act- Concerning Sheep herding in Idaho Territory.. Taken up and after the adoption of Certain Amendments- thereto was recommitted to Committee on Judiciary

At 10,30 A. M. the President announced that he was about to Sign C. B.s Nos 12 & 14.

H. B. No 21. "An Act to encourage the Growth and Culture of forest trees in Idaho Territory was taken up, read 1st and 2d times and referred to Committee on Agriculture.

C. B. No 18. "An Act to provide for the disposal of Lands entered as town sites under the acts of Congress", was taken up.

On Motion, the Rules were suspended, Bill Considered engrossed, read 3d time, and placed upon its passage -

The Question being "Shall the Bill pass?

The Ayes and Nays were taken -

Ayes. Mssrs Angle, Brown, Cannaday, Foote, Goodell, Howard, Martin, McNally, Prickett, Stalker and Mr President. 11

Nays, None

So the Bill passed.

On Motion of Mr Martin Council took a recess until 3. oclock.

Afternoon Session.

Council Chamber
3 oclock, P. M.

Council Called to Order
President in the Chair.
Roll Called, all present except Mssrs Foote and Robie

Messages from the House.

House of Representatives,
December 29th, 1874.

Mr President:

I am instructed to inform your honorable body that the Council have passed the following Bills, which are herewith transmitted, and respectfully ask the Concurrence of the Council therein, H. B. No 24, "An act to Amend and repeal Certain sections of an act entitled an act incorporating the town of Lewiston

Also, C. B. No 21, "An act defining the meaning and intention of repealing sections of Legislative enactments — Also, C. B. No, 15, Compensating Frazier & Brewer for Services,

The House have had under Consideration C. B. No 55, "An act to dissolve the bonds of Matrimony between Ernestine Schnabel and Julius Schnabel and refused to pass the same, Also C. B. No 19, "An act to repeal an act for the better observance of the Sabbath and refused to pass the same which are herewith transmitted

F. D. Cahalan
Clerk of House of Representatives

House of Representatives,
December 29th, 1874.

Mr President,

I am instructed to inform your honorable body that the House have had under Consideration and passed H. B. No 13, "An act relating to the duties of County Commissioners of Idaho County which is herewith transmitted

F. D. Cahalan

Clerk House of Representatives

Messages from the Governor

Executive Department
Territory of Idaho.
Boise City Dec 28th, 1874

To the Council,

I have this day approved C. B. No 10. "An Act to Authorize and empower the County Commissioners of Owyhee County to Construct and repair Certain roads in Said County Also, C. B. No 12 "An Act fixing the Salaries and fees of Certain officers of Boise County, Also. C. B. No 14 "An Act to repeal Certain Certain Acts fixing the Salaries and fees of Certain Officers of Boise County.

G. W. Bennett
Governor.

Report of Committees

Mr President:

Your Committee on Enrolled Bills beg leave to report that C. B. No 12, & 14 were presented to the Governor for his Signature Dec. 29th, 1874 at 45 minutes past 10 o'clock A. M.

Goulder
Chairman

Mr President,

Your Committee to whom was referred H.B. No 21, "An Act to encourage the growth and culture of forest-trees", have carefully considered the same, report it back and recommend its passage -

Stalker
Chairman

Mr President,

Your Committee on Judiciary to whom was referred H.B. No 34, respectfully report that they have examined the same and recommend its passage without amendment -

Foote
Chairman

Mr President,

Your Committee to whom was referred H.B. No 36 have examined the same and have not sufficient knowledge upon which to base a report -

Foote
Chairman

Mr President,

Your Committee to whom was referred H.B. No 3 have examined the same and recommend its indefinite postponement - as its provisions have been suspended by a general Law which has received the approval of the Special Committee of this honorable body

Foote
Chairman

Mr President:

Your Committee to whom was referred H. B. No 6 have examined the same and recommend its indefinite postponement - as the Contents thereof are Contained in the General law upon the subject of District Attorneys

Scott
Chairman

Mr President,

The majority of Your Committee to whom was referred H. B. No 10, have examined the same and would recommend that it do not pass in its present form as it is too uncertain and indefinite and would suggest that Section 25 of the Revenue Act could be so amended as to accomplish the desirable objects of the Bill

Scott
Chairman

Mr President:

The Majority of Your Committee to whom was referred H. B. No 17 (Pickett dissenting) have examined the same and recommend its passage

Scott
Chairman

Mr President,

Your Judiciary Committee to whom was referred H. B. No 53. respectfully beg leave to report the same back to your honorable body, having duly examined the same, with the recommendation that it be Amended as herein set forth and then passed,
The Amendments we would recommend

are as follows:

Amend Section 1st by inserting the the words "District-Attorney districts", in the place of "Organized Judicial districts"—

Amend Section 2d by inserting after the word "file" in 4th line the words "in the office of the District-Court of the County where such District-Attorney resides", in the place of the words "with the Judge of their respective districts"; Also, by ~~Striking~~ out the words "said Judge" in 6th line of said Section, and inserting in the place thereof the "District-Judge of the district-or in case of a vacancy in their office by one of the Justices of the Supreme Court-"—Strike out all of said Section after the word "duties" in said line,

Amend Section 4, by Striking out the words "townships or" in the 8th and next lines,

Amend Section 5th by Striking out the words "One Thousand" in the 3d line, and insert in lieu thereof "Fifteen Hundred" Also, by inserting after the word "district", in the twentieth line, the words "or his office shall be vacant", Strike the remainder of the Section,

Amend Section 6 by inserting after the word "every" in the 9th line the words "Conviction", Strike out the words "for every trial not resulting in Conviction Twenty Dollars", in the 11th, 12th, & 13th lines, Add to said Section the following words, "provided that no District Attorney shall receive any fee in any case whatever unless present in person or by deputy at the examination on trial of such case,

Amend 7th Section by Striking all out,

Amend Section 9, by Striking out "Approved by the Governor"

and insert in lieu thereof the word, "Passage"

Which Amendments are attached to said Bill,

All of which is respectfully Submitted

Goode
Chairman

S. B. No 3. An Act concerning District Attorneys for Idaho, was taken up and certain Amendments thereto adopted

On Motion, the Rules were suspended the Bill Considered engrossed, read 3d time and placed upon its passage -

The Question being - "Shall the Bill pass?

The Ayes and Nays were taken -

Ayes - Messrs Angell, Brown, Cannaday Goode, Gooding, Hawley, Howard Martin, McNally, Pricket Stalker and Mr President - 12 -

Nays - None,

So the Bile passed.

S. B. No 34. "An Act regulating Marriages was taken up. On Motion the Rules were suspended. The Bile Considered engrossed, read 3d time and placed upon its passage -

The Question being - "Shall the Bile pass?" The Ayes and Nays were taken.

Ayes - Messrs Angell, Brown Cannaday, Goode, Gooding Howard, Martin, McNally, Prickett, Stalker and Mr President - 11 -

Nays - Mr Hawley - 1

So the Bile passed

S. B. No 6. "An Act- Concerning the Official Bonds of Offices" was taken up and on Motion was indefinitely postponed-

S. B. No 5 "An Act- Creating the office of District Attorneys for such of the Several Counties" was taken up And on Motion was indefinitely postponed

H. B. No 15 "An Act- relating to the duties of Commissioners of Idaho County, was taken up read 1st- and 2d time and reference to Committee on Counties and County Boundaries.

H. B. No 11 "An Act to empower the Assessor of Owyhee County- to Collect- taxes, was returned by the Judiciary Committee and reference to the Delegation from Owyhee

H. B. No 24 "An Act- relating to the Incorporation of Lewiston, was taken up, read 1st- and 2d times and refered to the Delegation from Northern Idaho-

H. B. No. 21, "An Act- to encourage the Growth and Culture of forest-trees, was taken up. On Motion the Rules were Suspended, Said Constitutional engrossed, read 3d time and placed upon its passage-

The Question being "Shall the Bill pass?" The ayes and nays were taken-

Ayes- Messrs Angell, Brown, Chaney, Evans, Howard, Martin McNally, Prickett Stallcup - 9

Nays - Messrs Goulder and Hawley - 2

Not Voting - Mr President - 1

So the Bill passed.

S. B. No 56. "An Act to divorce Minnie & Jeremiah McCarty" was taken up and on motion the Rules were suspended Bill considered engrossed, read 3d time and placed upon its passage. The Question being - "Shall the Bill pass?" The Ayes and Nays were taken - Ayes. Messrs Barnum, Commaday Foote, Goulden, Hawley, Martin McNally, Stallion and Pro Tem - 8

Nays - Messrs Angell, Howard, Prescott and Mr President - 4

So the Bill passed -

S. B. No 11, "An Act to divorce Eliza O. & R. G. Whittaker was taken up on motion the Rules were suspended Bill considered engrossed, read 3d time and placed upon its passage. The Question being "Shall the Bill pass?" The ayes and nays were taken -

Ayes - Messrs Brown, Commaday Foote, Goulden, Hawley, Martin, McNally, and Stallion 8 -

Nays Messrs Angell, Howard Prickett and Mr President - 4

So the Bill passed -

Mr Cammaday introduced S. B. No 62 "An act relating to Fire Insurance Companies" read 1st and 2d time. And on Motion the Rules were suspended, Bill Committed engrossed, read 3d time and placed upon its passage

The Question being "Shall the Bill pass?" The ayes and Nays were taken.

Ayes Messrs Angell, Brown, Cammaday, Goode, Goulden, Hawley, Howard, Martin, McNally, Pickett, Stalker and Mr President — 12

Nays - None,

So the Bill passed.

On Motion of Mr Brown the Council Adjourned —

E. F. Carr
Chief Clerk

E F Beatty
President of the Council

Twenty Fourth Day.

Council Chamber.
Boise City, I. T. Dec 30th, 1874

Council met pursuant to adjournment.
Present- in the Chair.
Roll called. all present- except Mr Robie.
Prayer by the Chaplain.
Journal of yesterday read and approved.

Message from the House.

House of Representatives
Dec 29th, 1874.

Mr President:

I am instructed to inform your honorable body that- the House have had under consideration and rejected the same. C. B. No. 11. "An Act- to dissolve the bonds of matrimony between R. J. Whittaker and Eliza J. Whittaker", also. C. B. No 56, "An act- dissolving the bonds of Matrimony between Minnie Mc Canty and Jeremiah Mc Canty", which are herewith transmitted

L. D. Calhoun
Chief Clerk of House of Rep.

By unanimous Consent- of the Council Mr Goulder introduced C. B. No 63 "An act- relating to Common Schools in Shoshone County. Read 1st and 2d time and refered to Committee on Education.

...

Reports of Committees.

Mr President:

Your Committee on Finance

to whom was referred H. B. No 3. have given the same full consideration and recommend the passage of the Bill, but as there is considerable doubt as to the legality of the majority of the provisions of the Bill and it being a matter of grave importance that a perfect Bill upon the subject should be passed we recommend that the Original Bill and that a Substitute prepared by your Committee be referred to the Judiciary Committee to obtain their opinion as to the legality of the Bill.

Hawley.
Chairman.

There being no objection H. B. No 3. was referred to the Judiciary Committee.

Mr President:

Your Committee on Counties and County Boundaries, who have had under consideration H. B. No 57 "An Act Creating and organizing the County of Bear Lake, beg leave to report the same back with the recommendation that it do pass.

Cannaday
Chairman.

Mr President:

Your Committee to whom was referred H. B. No 7. "An act in relation to Common Schools" beg leave to report that they have had the same under Consideration and recommend its passage without Amendment,

Argyle
Chairman.

Mr President:

Your Committee to whom was H. B. No 48, "An act Concerning County Sheriffs" report that we have examined the same and recommend that the same be passed without Amendment,

Martin
Chairman.

Mr President:

Your Committee to whom was referred H. B. No 10. "An act to empower the Assessor of Gwynn County to Collect taxes beg leave to report that they have had the Bill under Consideration and recommend its passage, without Amendment.

W. H. Angell.

Mr President:

Your Committee on Engrossed Bills have examined S. B. No 62. 4 and find the same Correctly engrossed.

Howard
Chairman

S. B. No 48. "An Act Concerning County Sheriffs" was taken up and on Motion of Mr Goodell, the Rules were Suspended, Bill Considered engrossed, read 3d. time and placed upon its passage,

The question being "Shall the Bill pass?"
The Ayes and Nays were taken -

Ayes - Messrs Angell, Brown, Carmaday, Goodell, Gordon, Hawley, Howard, Martin, McNally, Pricket, Stuber and Mr President - 12

Nays - None.

So the Bill passed,

H. B. No 10. "An Act to empower the Assessor of Gwynn County to Collect taxes, was taken and recommitted to the delegate from Gwynn

S. B. No. 7. "An Act relating to the Common School System" was taken up, a motion to Strike out "1/4" and insert "1/2" was lost and the Bill was ordered engrossed for 3d Reading -

Co. B. No 57. "An Act - Creating the County of Bear Lake, was taken up and Mr Pricketts Amendment to Section 7 adopted. On Motion of Mr Stalker the Rules were Suspended, Bill Considered engrossed read 3d time and placed upon its passage -

The Question being - "Shall the Bill pass?"

The Ayes and Nays were taken.

Ayes - Messrs Angell, Brown, Cannaday, Foote, Goulden, Hawley, Howard, Martin, Mc Nally, Prickett, Stalker, and Mr President - 12.

Nays - None

So the Bill passed.

Co. B. No 4. "An Act to alter the Charter of Boise City" was taken up and made the Special order for tomorrow -

On Motion of Mr Cannaday Council took a recess until 3 O'clock -

Afternoon Session.
3 O'clock P. M.

Council Called to order.
President in the Chair.
Roll called - All present, except Mr Robie.

At 3.5 P. M. the President announced that he was about to sign H. B. No 14.

Message from the House.

House of Representatives.
December 30th, 1874.

Mr President:

I am instructed to inform your honorable body that the House instructs me

to return to Your honorable C. B. No 53. "An Act relating to District Attorneys for Idaho." for engrossment by the Council

Y. D. Cahalan
Clerk of House of Representatives

House of Representatives
December 30th, 1874.

Mr President,

I am instructed to inform your honorable body that the House have had under Consideration and passed H. B. No 28. "An Act supplementary to an act entitled an act to provide a Uniform System of Territorial and County Revenue, and for the Assessing and Collecting the Same" Approved Jan. 10th, A.D. 1873. Also,

C. B. No 18. "An act to provide for the disposal of lands entered as town sites under the acts of Congress. Also, C. B. No, 31. "An act defining the rights of Husband and Wife." with certain Amendments. Respectfully ask the Concurrence of the Council thereto. which are herewith transmitted.

Y. D. Cahalan
Clerk of House of Representatives

Reports of Committees

Mr President,

Your Committee to whom was referred H. B. No, 3. have examined the same, as well as the Substitute therefor and as the provisions there of are provided for in a general revenue act— would recommend the indefinite postponement

(Goode
Chairman

Mr President-

Your Committee to whom was referred H. B. No. 5. have examined the same and in their judgement - some of the provisions thereof are unconstitutional they therefore recommend its indefinite postponement

Foote
Chairman

Mr President-

Your committee on Enrolled Bills beg leave to report - that - they find H. B. No 15 & 2 correctly enrolled.

Goulder
Chairman.

Mr President-

Your Committee to Whom was referred H. B. No 63. "An act - relating to Common Schools beg leave to report - that - we have had the Bill under Consideration and recommend that - it - pass without - Amendment.

Cingell.
Chairman.

Mr President,

Your Committee on Counties and County Boundaries to Whom was referred H. B. No 61. have had the same under Consideration and beg leave to report - the Bill back and recommend its passage.

Lannaday
Chairman.

Mr President,

Your Special Committee Composed of the Northern Idaho Delegation to Whom was referred H. B. No 24 have duly Considered the same, and report - it - back and recommend its passage.

Howard
On behalf of Committee

Mr President:

Your Committee to whom was reference S. B. No 43. have examined the same and recommend its adoption with the following amendments.

Amend Section 3. by inserting the words "in the Supreme Court" after the word "counsellor" in 3d line. Also, by inserting the word "Stating;" after the word "direction" in 13th line.

Amend Section 10.

By inserting the word "such" after the word "upon" in 1st line Also, by inserting the word "Supreme" after the word "the" in 5th line.

Amend Section 6;

By inserting the word "ten" in lieu of "twenty five" in 6th line.

Amend Section 9.

Strike out the Second by adding at the end thereof the words "unless dispensed with by the Court"

Amend Section 10.

By Striking out the words "And not otherwise", in 7th and 8th lines.

Amend Section 11

By adding at the end thereof the word, "Provided all his lawful liens are not impaired"

Amend Section 19.

By adding at the end thereof the word "Provided Such time shall not be less than five days"

Foote

Chairman

H. B. No. 5. "An Act relating to Sheep. Issaing was taken up and indefinitely postponed.

H. B. No 3 "An Act relating to taxing National Banks was taken up and laid over until tomorrow.

C. B. No 43. "An Act relating to Attorneys and Counsellors at Law" was taken up and certain amendments thereto adopted. On Motion of Mr Hawley the Rules were suspended the Bill Considered engrossed, and 3d time and placed upon its passage.

The Question being - "Shall the Bill pass?"

The Ayes and Nays were taken.

Ayes - Messrs Angell, Brown, Cummaday, Scott, Goulden, Hawley, Howard, Martin, McNally, Prickett, Stalker and Mr President - 12 -

Nays - None.

So the Bill passed.

H. B. No 24. "An Act relating to the Incorporation of Lewiston was taken up, read 3d time and placed upon its passage. The Question being - Shall the pass?

The Ayes and Nays were Called.

Ayes - Messrs Angell, Brown, Cummaday, Scott, Goulden, Hawley, Howard, Martin, McNally, Prickett, Stalker and Mr President - 12 -

Nays - None -

So the Bill passed.

C. B. No 61. "An Act relating to the Sale of County property in the Northern Counties, was taken up. On Motion of Mr Brown the Rules were suspended, Bill Considered engrossed and read 3d time and placed upon its passage -

The Question being - "Shall the Bill pass?"
The Ayes and Nays were called -
Ayes Messrs Angell, Brown, Carmaday
Goode, Gordon, Hawley, Howard
Martin, Mc Nally, Prickett, Stalter
and Mr President - 12

Nays - None

So the Bill passed.

S. B. No 63, "An Act - relating to Common Schools in Shoshone County" was taken up. On Motion of Mr Gordon the Rules were Suspended. Bill Considered engrossed, Read 3d time and Placed upon its passage -

The Ayes and Nays were taken
Ayes - Messrs Angell, Brown Carmaday, Goode, Gordon, Hawley, Howard, Martin Mc Nally, Prickett, Stalter and Mr. President - 12

Nays. None -

So the Bill passed -

H. B. No 28. "An Act - Defining the rights of Husband and Wife. was taken up and House Amendments Concurred in.

On Motion of Mr Stalter Council adjourned

E. F. Beaty
President of the Council

E. F. Ezard
Chief Clerk

Twenty Fifth Day.

Council Chamber.
Boise City, I.T. Dec. 31/64

Council met pursuant adjournment.
President in the Chair.
Roll called. All present except Mr. Robie.
Prayer by the Chaplain.
Journal of yesterday read and approved.

Notice of Bills.

Mr President.

I give notice that I will this Afternoon introduce a Bill for the dissolution of the bonds of Matrimony between Ernestine Schnable and Julius Schnable and to change the name of Ernestine Schnable to that of Ernestine Wisserle.

W. A. Goulder.

Reports of Committees

Mr President

Your Committee to whom was refered C. C. B. No. 44 have examined the same and recommend its adoption

Scott
Chairman

By unanimous Consent of the Council Mr McNally introduced C. C. B. No 64. "An Act relating to the various funds of Athens County - Read 1st and 2d time and refered to Committee on Finance -

At 10.35 A.M. the President announced that he was about to sign S.B. No. 154

S.B. No 44, "An Act- Concerning Corporations", was taken up and certain Amendments thereto adopted. On motion of Mr Hawley, the Rules were suspended & Bill considered engrossed, read 3d time and placed upon its passage—

The Question being - "Shall the Bill pass?" The Ayes and Nays were taken

Ayes - Messrs Angell, Brown, Carnaday Corbett, Gordon, Hawley, Howard, Martin, Mc Nally, Prickett, Statton Mr President — 11 —

Nays None

So the Bill passed —

H. B. No. 3, "An Act relating to National Banks, was taken up and on motion was indefinitely postponed

S.B. No 4. An Act- to alter the Charter of Boise City was taken up.

Mr Hawley presented a Numerously Signed remonstrance against the passage of the Bill.

On Motion of Mr Hawley the Bill was laid on the table

On Motion of Mr Howard Council to a recess until 3 O'clock —

Afternoon Session.

Council to Order,
President - in the Chair.
Roll Called - All present - except - Mr Robin.

Reports of Committees

Mr President.

Your Committee on Engrossed Bills have examined C. B. No 7 and find it - Correctly engrossed,

Howard
Chairman

Mr President -

Your Committee on Finance to whom was referred C. B. No 64. "An act - to amend an act - relating to the various funds of Attuvas County have Considered the same and recommend its passage - without - amendment.

Hawley
Chairman.

Message from the House.

House of Representatives
December 31st, 1874.

Mr President,

I am instructed to inform your honorable body that - the House have had under Consideration and passed - C. B. No 22, "An act - to regulate the Settlement - of estates of deceased persons with the following amendments, in line 24, Section 128, Strike out - the words - "Three Thousand" and in lieu thereof - insert - "Fifteen hundred" and respectfully ask the Concurrence of the Council to the Amendments. Also, House Bill No 26 An act to provide for the incorporation

of Miners Unions -
which are herewith transmitted

F. D. Culbertson
Chief Clerk House of Rep.

Message from the Governor

Executive Department -
Territory of Idaho.
Boise City, Dec 31st, 1874.

To the Council.

I have this day approved C. B. No 13 - "An Act - to Compensate William Fraser and B. G. Hosier for Services rendered and expenses incurred in the Arrest of John Thomas and Charles Kingsley, Charged with horse Stealing and the return of John Thomas to the jail of Owyhee County" Also, C. B. No. 21. "An Act defining the Meaning and intention of repealing Sections of Legislative enactments

W. W. Bennett
Governor

Mr Martin introduced C. B. R. No 9. relating to an addition to the Joint Rules. Read 1st and 2d time. Rules Suspended, read 3d time and passed

C. B. No 22. "An Act - to regulate the Settlement of the estate of deceased persons. was taken up and House Amendments to the Senate Concurred in -

H. B. No 9. "An Act - relating to enclosures in this Territory. was

taken up and on motion of Mr Foote the enacting Clause of the Bill was stricken out-

H. B. No 26 "An Act to provide for the Incorporation of the Miners Union" was taken up read 1st and 2d time and referred to Committee on Incorporations.

S. B. No. 64. "An Act regulating the various funds of Attalla County, was taken up. On motion of Mr Hawley the Rules were Suspended. Bill Considered Engrossed, and 3d time and placed upon its passage-

The question being - "Shall the Bill pass?" The Ayes and Nays were taken -

Ayes Messrs Angell, Brown, Cammack, Foote, Goulden, Hawley, Howard, Martin, McNally, Prickett, Stetson and Mr President - 12 -

Nays None

So the Bill passed.

At 3, 35 P.M. the President announced that he was about to sign H. B. No 21

Mr Goulden introduced S. B. No 65; "An Act to dissolve the bonds of Matrimony between Emeline Schnable and Julius Schnable and Change the Name" read 1st and 2d time, On Motion Committee suspended, Rules suspended, Bill read 3d time and placed upon its passage -

The question being - "Shall the Bill pass?" The Ayes and Nays were taken

Ayes Messrs Brown, Cammack, Foote, Goulden, Hawley,

Martin, McCauley, and Statton - 8

Nays - Messrs Angell, Howard, Pickett
and Mr President - 4
So the Bill passed

On motion of Mr Gordon Council
adjourned until Saturday at 3. P.M.

E J Beatty
President of the Council

E. F. Carr
Chief Clerk.

Twenty Seventh Day.

Council Chamber
Boise City, I. T. Jany 2d, 1875.

Council met pursuant to adjournment.
President in the Chair.
Roll be called - all present except Mssrs
Robie and Prickett -
Journal of December 31st, read and approved

Message from the House.

House of Representatives
December 31st, 1874.

Mr President:

I am instructed to inform your honorable body that the House have passed the following bills, which are herewith transmitted and respectfully ask the Concurrence of the Council therein:

H. B. No. 1, "An act establishing a Public School System and to provide for the Maintenance of Public Schools", also. H. B. No 19, "an act to disolve the bonds of Matrimony existing between Mary E. Lindner and Samuel Lindner.

I. D. Carleton
Chief Clerk of Council.
H. of Rep.

House of Representatives.
January 2d, 1875.

Mr President.

I am instructed to inform your honorable body, that the House have passed the following bills, which are herewith transmitted, and respectfully ask the Concurrence of the Council therein.

H. B. No 30,
"An act authorizing the Recorder of Owyhee

County to transcribe Certain records.
Also. H. B. No 55 "An act to amend an act Concerning Roads and Highways in Bear County"
Also. H. B. No 29 "An act to prevent Cruelty to Animals and to protect the public from the sale of unwholesom food" -
Also. H. C. R. No 5 for the Appointment of Joint Standing Committee on Territorial Law Library"

L. D. Cahalan
Chief Clerk of H. of Rep's Council

House of Representatives
December 31st, 1874.

Mr President,

I have instruction to inform your honorable body, that the House have passed the following bills. which are herewith transmitted.

C. B. No 34 an act regulating Marriages" —

Also. C. B. No 36. an act Concerning fraudulent Conveyances and Contracts"

Also. C. B. No 57 "An act Creating and organizing the County of Bear Lake"
Also. C. B. No 63 "an act relating to Common Schools in Oneida County" -

The House have had under Consideration C. C. R. No. 9. relating to bills Considered engrossed and refused to pass the Same, which are herewith Transmitted

...

L. D. Cahalan
Clerk of House of Representatives

House of Representatives
Jany 20. 1875.

Mr President.

I am instructed to inform your honorable body that the House have had under consideration and passed

C. B. No 44 "An act concerning Coroners with an Amendment to the title of the same,

Also. C. B. 64 An act to Amend an act relating to the various funds of Alturas County,

Also. C. B. No 61, "an act providing for the sale of County property in Shoshone, Nez Perce and Idaho Counties,

which are herewith transmitted

L. D. Calhoun
Clerk of House of Representatives

Reports of Committees.

Mr President.

Your Committee on Enrolled Bills beg leave to report that they have examined C. B. No 31 and find the same Correctly enrolled.

Goulder
Chairman

Mr President.

Your Committee on Printing beg leave to report C. B. No 58 Correctly Printed

Goulder
Chairman

Mr President.

Your Committee on Engrossed Bills have examined C. B. No 3. and find it Correctly engrossed.

Howard Chairman

Mr President:

Your Committee on Counties and County Boundaries to whom was referred H. B. No 20, "An Act to define the boundaries of Idaho County, by leave to report the Bill without recommendation.

Cunnaday
Chairman

Mr President:

A Majority of Your Committee to whom was referred H. B. No 26, "An Act to provide for the incorporation of Miners Union have had the same under Consideration and respectfully report the bill back and recommend its passage.

Walker
Cunnaday

Mr President,

I Cannot Concur in the recommendation of the Majority of the Committee in regard to H. B. No 26.

By an Act of the 39th Congress approved March 2d, 1867 the power to grant private Charters or Special privileges was taken from the Territorial Legislatures according to the same Act we have power to pass a General incorporation Act

It is a Matter of importance to the parties affected by the Bill, to have Corporate powers, I would recommend that the General law of the Territory upon the subject be amended, if it can legally be done, so as to give them the power to incorporate in pursuance of its provisions and that the present bill be indefinitely postponed, it seems, in my humble judgement a very wise policy to attempt ...

legislation upon subjects placed beyond our reach by acts of Congress—

J. H. Hawley
Com. on Incorporations.

Report of Committee on Judiciary

Mr President,

Your Committee to whom was referred S. B. No 41, report that we have examined and amended the same as will appear from the Bill and recommend its passage as so Amended

Foote & Martin
of the Committee.

Report of Special Committee on S. B. No 42.

Mr President.

Your Committee to whom was referred S. B. No 42, Report that they have examined the same and recommend its passage without amendment,

Foote & Martin
of the Committee

Mr President

Your Special Committee to whom was referred S. B. No 40 report that they have examined and amended the same as appears upon its face and recommend is passage as so Amended.

Foote & Martin
of the Committee

Mr President,

Your Special Committee on S. B. No 38 to whom was referred the same report that they have examined and amended the same as will appear

upon its face and recommend its passage
as amended

Foote & Martin
Of the Committee

H. B. No 29. "An Act relating to Cruelty to Animals. was taken up.
Read 1st and 2d times and reference to Committee on Agriculture.

H. B. No 35. "An Act- Concerning Roads and Highways in Bowie County was taken up - Read 1st and 2d times and referred to Committee on Roads and Highways

H. B. R. No 5 relating to the appointment of a Standing Committee on "Territorial Law Library" was taken up Read 1st and 2d times and passed. A Special Committee, Composed of Mrs Foote, Martin and Goodlett was appointed -

H. B. No 19 "An Act to divorce Mary E. and Samuel Lindsey was taken up Read 1st and 2d times, and on Motion of Mr Mc Nally the Rules were suspended. Bill Considered engrossed read 3d time and placed upon its passage.

The Question being "Shall the Bill pass?" The Ayes and Nays were taken

Ayes - Messrs Brown, Cannaday, Foote Goodlett, Hawley, Martin Mc Nally, and Stacy - 8

Nays Messrs Argyle, Howard and Mr President - 3

So the Bill passed.

H. B. No 1 "An act establishing a Public School System &c Read 1st and 2d times and referred to Committee on Education

On motion of Mr Martin 50 Copies were ordered printed

H. B. No 26 "An act to provide for the Incorporation of Miners Unions, was taken up. Motion to indefinitely postpone was lost - On motion of Mr Commaday the Bill was recommitted to Judiciary Committee.

H. B. No 20 "An act to define the boundaries of Idaho County was taken up,

On motion of Mr Brown the Rules were suspended, Bill considered engrossed read 3d time and placed upon its passage.

The Question being "Shall the Bill pass?" The Ayes and Nays were taken -

Ayes - Messrs Brown, Commaday, Foote Howard, Martin, McNally and Stalker - 8

Nays - Messrs Angell, Gowen, Hawley 3 -

So the Bill passed.

H. B. No 30 "An act authorizing the Recorder of Owyhee County to transcribe Certain records was taken up,

Read 1st and 2d times and referred to Owyhee County Delegation -

H. B. No 58 "An act to fund the debt of Boise County and on motion was recommitted to Finance Committee.

C. B. No 44. "An Act- Concerning Coroners was taken up and House Amendments to Senate Concurred in-

C. B. No 38. "An Act- to exempt- the Homestead and other property from forced Sale in Certain Cases was taken up and After the adoption of Certain Amendments thereto. the Rules were Suspended. Bill Considered engrossed Read 3d time and placed upon its passage

The Question being "Shall the Bill pass?" The Ayes and Nays were taken

Ayes Messrs Angell. Brown, Carnaday Goodell, Goulden, Hawley. Howard Martin, Mc Nally, Stalker and Mr President— 11

Nays - None

So the Bill passed.

C. B. No 42, "An Act- Concerning the writ- of Habeas Corpus was taken up the Rules suspended. Bill Considered engrossed - Read 3d Time and placed upon its passage

The Question being - "Shall the Bill pass? The Ayes and Nays were taken

Ayes'- Messrs Angell, Brown, Carnaday Goodell, Goulden, Hawley, Howard Martin, Mc Nally, Stalker and Mr President- 11

Nays - None

So the Bill passed -

C. B. No 40, "An Act Concerning County Treasurers, was taken up and after the adoption of Certain Amendments thereto the Rules were suspended, Bill considered engrossed, read 3d time and placed upon its passage -

The Question being "Shall the Bill pass?" The Ayes and Nays were taken

Ayes Messrs Brown, Cannaday, Foote, Gordon, Hawley, Howard, Martin, McNally, Stalker and Mr President - 10

Nays - Mr Angell 1

So the Bill passed.

C. B. No 41. "An Act Concerning Chattle Mortgages was taken up, and Certain Amendments thereto Concurred in -

The Rules suspended, Bill considered engrossed, ordered 3d time and placed upon its passage -

The Question being "Shall the Bill pass?" The Ayes and Nays were taken -

Ayes Messrs Angell, Brown, Cannaday Foote, Gordon, Hawley, Howard, Martin, McNally, Stalker and Mr President - 11.

Nays - None

So the Bill passed.

On Motion of Mr Martin, Mr Angell was granted Leave of Absence until Thursday next.

By unanimous Consent of the Council, Mr Angle introduced C. B. No 66 "an Act relating to the Collecting of taxes in Cowpens County, read 1st and 2d times and referred to Judiciary Committee

Also,

C. B. No 67 "An Act relating to the Collection of Revenue &c in Cowpens County, read 1st and 2d times and referred to Committee on Finance

Mr Kennaday gave notice that on Monday he would move a reconsideration of C. B. No 40 "An Act Concerning County Treasurers".

Mr Foote introduced C. C. R. No 10 relating to the distribution of Arms which was read and passed as amended -

On Motion of Mr Howard Council adjourned until Monday at ten o'clock

E. J. Carr
Chief Clerk

E. F. Beaty
President of the Council

Twenty Ninth Day.

Council Chamber
Boise City, I. T. Jany 4th, 1875.

Council met pursuant to adjournment.
President in the Chair,
Roll called - all present - Messrs Pickett and Robie,
Prayer by the Chaplain,
Journal of 2d. read and approved.

Notice of Bills.

Mr President.

I give notice that I will, at an early day, introduce a Bill for an act to amend the Charter of Boise City

Hawley.

Mr President.

Your Committee on Finance have had under Consideration H. B. No 28, "An Act to amend the Special Revenue act applying to Alturas County, and recommend its passage.

Hawley,
Chairman

Mr President.

Your Committee to whom was referred H. B. No 26 have examined the same and respectfully recommend the Adoption of the report of the Minority of the Committee on Incorporation

Foote
Chairman

Mr President:-

Your Committee on Agriculture to whom was referred H. B. No 29. "An Act to prevent Cruelty to Animals and to protect the public from the sale of unwholesome food, have had the same under consideration and beg leave to report it back and recommend its passage -

Stalker
Chairman

Mr President:-

Your Committee to whom was referred H. B. No 33 Concerning Commissioners of Deeds, report that they have examined the same and recommend its passage without Amendment -

Martin
Special Committee

Mr President -

Your Committee to whom was referred H. B. No 66 have examined the same and recommend its recommital to the Onondaga delegation as it especially Concerns that County.

Truax
Chairman

Mr President,

Your Special Committee to whom was referred H. B. No 47 "An Act Concerning Conveyances", report that they have examined the same and recommend its passage without Amendment

Martin.

Mr President.

Your Committee to whom was referred C. B. No 29 "An act providing for the formation of partnerships, report that they have examined the same and would recommend that it be passed without Amendment.

Martin

Mr President.

Your Committee to whom was referred C. B. No 46 relating to usury of Account and interest, report that they have examined the same and recommend that the same be passed without Amendment.

Martin.

Mr President.

Your committee to whom was referred C. B. No 24 "An act to prevent officers from dealing in Certain Securities", report that they have examined the same and would recommend its passage without Amendment.

Martin.

Mr President,

Your Special Committee to whom was referred C. B. No 35 "An act Concerning Guardians", report that they have duly examined the same and would recommend its passage without Amendment.

Martin.

Mr President,

Your Committee to whom was referred C. B. No 27 "An act to protect certain Game in Idaho Territory", report that they have examined the same and recommend its passage.

Martin

Mr President;

Your Special Committee to whom was referred L. B. No 49 "An Act relating to the protection of Fish", L. B. No 37 "An Act relating to Bills of Exchange and Promissory Notes", and L. B. No 45 "An Act adopting the Common Law of England", L. B. No 25, "An Act relating to Bonds, Due Bills &c", and L. B. No 26 "An Act Concerning Roads, Highways, Trails and Public Thoroughfares" report that they have examined the same and recommend they be passed without Amendment.

Martin,

Mr Hawley introduced L. B. No 11. relating to the Journals which was read and adopted.

By unanimous Consent of the Council Mr Goodell introduced L. B. No 68 "An Act transferring the Money now placed to the Credit of the School Fund to the Sinking fund. Read 1st and 2d time and referred to Committee on Finance.

By unanimous Consent of the Council Mr Hawley introduced L. B. No 69 "An Act Concerning the Incorporation of Benevolent, Charitable and Scientific Associations - Read 1st and 2d time and referred to Committee on Incorporations

Mr Hawley introduced L. B. No 70 "An Act to Amend an Act to incorporate Boise City &c" - Read 1st and 2d time and referred to Committee on Incorporations.

H. B. No. 28. "An act relating to the Territorial and County Revenue was taken up read 3d time and placed upon its passage -

The Question being, "Shall the Bill pass?"
The Ayes and Nays were taken.
Ayes - Mssrs Brown, Cannaday, Foote, Goulden, Hawley, Howard, Martin, McNally, Stelker and Mr President - 10 -

Nays - None

So the Bill passed.

H. B. No 29, "An Act to prevent Cruelty to Animals &c" was taken up, read 3d time and placed upon its passage.

The Question being "Shall the Bill pass?"
The Ayes and Nays were taken -
Ayes: Mssrs Brown, Cannaday, Foote, Hawley, Howard, Martin, McNally, Stelker and Mr President - 9.

Nays - None

So the Bill passed.

H. B. No 26. "An Act relating to Miners Union was taken up and on Motion was laid on the table -

C. B. No. 66. "An act to empower the Assessor of Ormsby County to collect taxes, was taken up and on recommendation of the Judiciary Committee was referred to Ormsby Delegation.

C. B. No 3. "An act relating to the issuing of New bonds to be interchangable for the old bonds &c", was taken up, read 3d time and placed upon its passage

The Question being "Shall the Bill pass?" The Ayes and Nays were taken -
Ayes - Mssrs Brown, Cannaday,

Scott, Goulden, Hawley,
Howard, Martin, McNally,
Stelkin and Mr President - 10.

Nays - None -

So the Bill passed.

On Motion of Mr Carmaday the vote was reconsidered by which S.B. No 40 "An Act - Concerning County Treasurer" passed this Council Jany 2d -

By unanimous Consent of the Council Mr Carmaday offered an Amendment to Section 24, of the Bill which was adopted and the Bill read 3d time and placed upon its passage -

The Question being "Shall the Bill pass?"

The Ayes and Nays were taken

Ayes - Mrs Brown, Carmaday, Scott, Goulden, Hawley, Howard Martin, McNally, Stelkin and Mr President - 10 -

Nays - None

So the Bill passed.

At 10,50 A.M. the President announced that he was about to sign S.B. No 31. An Act defining the rights of Husband and Wife"

S. B. No 26 "An Act Concerning Roads Highways &c, was taken up and after the adoption of Certain Amendments thereto was recommitted to Boise County Delegation

S. B. No 25 "An act relating to Bonds, Due Bills &c was taken up - On Motion the Rules were suspended. Bill Considered engrossed, read 3d time and placed upon its passage.

The Question being "Shall the Bill pass? The Ayes and Nays were taken -

Ayes - Messrs Brown, Commaday, Gowan, Hawley, Howard, Martin, Mc Nally, Stalker and Mr President - 9 -

Nays - None

So the Bill passed -

S. B. No 47 "An act Concerning Conveyances" was taken up, On Motion Rules were suspended, Bill Considered engrossed, read 3d time and placed upon its passage -

The question being - "Shall the Bill pass? The Ayes and Nays were taken

Ayes Messrs Brown, Commaday, Hawley, Howard, Martin, Mc Nally, Stalker and Mr President - 8 -

Nays - None

So the Bill passed,

S. B. No 46. "An act relating to Money of Account and interest was taken up, On Motion, Rules were suspended, Bill Considered engrossed, read 3d time and placed upon its passage

The question being "Shall the Bill pass? The Ayes and Nays were taken Ayes - Messrs Brown, Commaday, Hawley, Howard, Martin, Mc Nally, Stalker, Mr President - 8 -

Nays - None

So the Bill passed,

S. B. No 45 "An Act- Adopting the Common Law of England" was taken up. Rules suspended. Bill Considered engrossed, Read 3d time and placed upon its passage
The question being- "Shall the Bill pass?
The Ayes and Nays were taken
Ayes - Messrs Brown, Commerday, Hawley
Howard, Martin, Mc Nally,
Stalker and Mr President- 8

Nays- None.
So the Bill passed.

S. B. No 37 "An Act- relating to Bills of Exchange &c was taken up -
Rules were suspended, Bill Considered engrossed, Read 3d time and placed upon its passage -
The Question being - "Shall the Bill pass?
The Ayes and Nays were called
Ayes - Messrs Brown, Commerday, Hawley
Howard, Martin, Mc Nally, Stalker
and Mr President- 8 -

Nays - None
So the Bill passed -

S. B. No 49. An Act- for the protection of fish. was taken up, Rules were Suspended, Bill Considered engrossed, Read 3d time and placed upon its passage
The Ayes and Nays were taken
Ayes - Messrs Brown, Commerday, Hawley,
Howard, Martin, Mc Nally, Stalker
and Mr President- 8 -

Nays - None
So the Bill passed-

S. Bill No 53, "An act- Concerning Commissioners of deeds was taken up, Rules Suspended Bill Considered engrossed, Bill read 3d time and placed upon its passage
The question being "Shall the Bill pass?
The Ayes and Nays were taken
Ayes Messrs Brown, Cannaday, Hawley
Howard, Martin, McNally, Stalker and
Mr President- 8

Nays None

So the Bill passed.

S. B. No 27 "An act- to protect certain game &c, was taken up and after the adoption of an Amendment to Section 1st, the Rules were Suspended, Bill Considered engrossed read 3d time and placed upon its passage.
The Question being- "Shall the Bill pass?
The Ayes and Nays were taken-
Ayes. Messrs Brown, Cannaday, Goode,
Hawley, Howard, Martin McNally,
Stalker and Mr President- 9-

Nays- None.

So the Bill passed;

S. B. No 35 "An act- Concerning Guardians was taken up, Rules Suspended Bill Considered engrossed, read 3d time and placed upon its passage-
The Question being "Shall the Bill pass?
The Ayes and Nays were taken
Ayes- Messrs Brown, Cannaday, Goode,
Hawley, Howard, McNally
Stalker and Mr President- 8

Nays- None

So the Bill passed.

Co. B. No 29 "An Act for the formation of Partnerships" was taken up, Rules Suspended, Bill Considered engrossed, Read 3d time and placed upon its passage
The Question being "Shall the Bill pass?
The Ayes and Nays were taken -
Ayes: Messrs Brown, Carmichael, Foote
Hanley, Howard, McNally
Stalker and Mr Speicher - 8

Nays - None

So the Bill passed.

Co. Bill No 24. "An Act to prevent Officers from dealing in Certain Securities, was taken up, Rules Suspended. Bill Considered engrossed, Read 3d time and placed upon its passage -
The Question being "Shall the Bill pass?
The Ayes and Nays were taken -
Ayes - Messrs Brown, Carmichael, Foote
Hanley, Howard, Martin, McNally
Stalker and Mr Speicher - 9.

Nays. None

So the Bill passed -

On Motion of Mr Howard, Mr Hanley was added to the Special Committee on Code -

On Motion of Mr Martin Council adjourned until tomorrow at 10 O'clock

E. F. Carr
Chief Clerk.

E F Beaty
President of the Council

Thirtieth Day.

Council Chamber.
Boise City, I. T. Janu 5th 1875.

Council met pursuant to adjournment.
President in the Chair.
Roll Called - all present except Mssrs Angel, Nicols, Martin, McNally, Pickett and Robie.
Prayer by the Chaplain.
Journal of Yesterday read and approved.

Messages from the House.

House of Representatives.
Janu 5th, 1875.

Mr President,

I am instructed to inform your honorable body that the House have had under Consideration and passed H. B. No 30, "an act to define the boundary line of Idaho County and for other purposes, as amended, Also, H. B. No 43 "an act relating to Attorneys and Counsellors at Law, Also.
H. B. No 62 "an act relating to insurance Companies. Also

H. B. No 45, an act adopting the Common Law of England", Also.

H. C. R. No 11, relating to the Journals

The House has also passed;
H. B. No 33 "an act for the protection of Stock to their rightful owners, also H. C. R. No 6, "asking Congress for an appropriation for printing the Laws of Idaho Territory. The House has also appointed Mssrs Keeny, Shoup and Ridebotham to act with a like Committee from the Council, on Territorial Law Library

I. D. Cahalan
Clerk House of Representatives

Reports of Committees.

Mr President.

Your Committee on Roads and Highways to whom was referred H. B. No 35, beg leave to report back and recommend its passage.

L. P. Brown
Chairman

Mr President. Majority

Your Committee on Counties and County Boundaries, to whom was referred H. B. No 4 to apportion the Members of the Legislature accordingly, beg leave to report that we have had the same under Consideration and recommend its passage with Amendments as herewith submitted

Kennaday
Gordon

Mr President.

Your Committee on Dividing Counties have had under Consideration H. B. No 30 "An act to amend Section 7 of Boise Code" and respectfully report in favor of its adoption with the following Amendments.

Stallcup
Chairman

President

Your Committee Consisting of Owyhee Delegation to whom was referred H. B. No 66, an Act entitled an Act to empower the Assessor of Owyhee County to Collect taxes upon certain personal property within Owyhee beg to report, they have had same under consideration and recommend its passage. Martin

Mr President:-

Your Committee on Incorporations to whom was referred S. B. No 69 "An Act Concerning the Incorporation of Benevolent, Charitable and Scientific Associations, report that the Bill will allow The Miners Union and Similar organizations to incorporate under its provisions. That under an act of Congress approved June 10th, 1872 we have full authority to provide by General laws for the incorporation of such Associations and that it will not interfere with the Act of Congress Approved March 2d, 1867, prohibiting Special Acts of incorporation by Territorial Legislatures or the provisions of the latter law in regard to the Status of Societies or Associations subject to the provisions of Acts for Territorial Legislatures regarding incorporations having been annulled by the first Act of Congress referred to.

Respectfully Submitted

Stalker
Chairman

Mr President,

Your Committee on Enrolled Bills beg leave to report that they have examined S. B.s Nos 61, 64, 63, 57 and 18 and that they find the same Correctly enrolled, also, that C. B. No 31 was presented to the Governor for his Signature January 4th, A.D. 1875 at 11 o'clock A.M.

Goudon
Chairman

Mr President-

Your Committee on Finance to whom was referred L.B. No 68. "An Act- to transfer the Money now placed to the credit- of the School Fund to the Sinking Fund; report- the same back to the Council and recommend its passage with the following Change;

Strike out the word "indebtedness" in last- line of Section 1st- and Substitute in lieu thereof the word "Bond"

Respectfully Submitted

Hawley

Chairman

Mr President-

Your Committee to Whom was referred L.B. No 23 have examined the same and recommend its passage without- amendments

Scott,

Mr President-

Your Special Committee on the Code, to whom was referred C.B. No 39 "An Act- Concerning Corporations report- the same back to the Council with an Amendment- to Section 1 of the Bill that- embodies the Main provisions of L.B. No 68

Hawley

Mr President-

The Boise Delegation to whom was referred L.B. No 26. "An Act- Concerning Roads &c report the same back with the following Amendment- which we recommend be adopted"

Halaway

Beaudry

Scott

By unanimous Consent of the Council Mr Hawley introduced H. B. No. 71 "An act to Change the Name of Carl Johan Brenno Skvo to Charles Wilson.

Read 1st and 2d time, Rules Suspended Bill Considered engrossed, read 3d time and placed upon its passage -

The Question being "Shall the Bill pass? The Ayes and Nays were taken -

Ayes Messrs Brown, Cavanaugh, Foote, Gaukler, Hawley, Howard, Martin Mc Nally, Stalker and Mr President - 10 -

Nays - None

So the Bill passed.

H. B. No 66. "An act to empower the Assessor of Owyhee County to Collect taxes, was taken up and ordered engrossed for 3d reading -

H. B. No 35 "An act - Concerning Roads and Highways in Boise County - was taken up, read 3d time and placed upon its passage -

The question being "Shall the Bill pass? The ayes and Nays were taken

Ayes - Messrs Brown, Cavanaugh, Foote Gaukler, Hawley, Howard, Martin Mc Nally, Stalker and Mr President - 10

Nays - None

So the Bill passed.

H. B. No 4, "An Act to reapportion the members of the Legislature of Idaho" was taken up and certain Amendments there to Adopted, Bill read 3d time and placed upon its passage
The Question being "Shall the Bill pass"
The Ayes and Nays were taken
Ayes Mess Brown, Cummaday, Foulen
Hawley, Howard, Mc Nalley
And Mr President — 7

Nays — Mess Goode, Martin and Sutton 3.

So the Bill passed.

H B. No 70, "An act to Amend an Act to incorporate Boise City" was taken up, Certain Amendments thereto Adopted and the Bill ordered engrossed for 3d reading —

H. B. No 69 "An Act Concerning the Incorporation of Benevolent Associations was taken up and referred to Committee on Code after which on motion of Mr Hawley the Bill was indefinitely postponed

H. B. No 68 "An Act transferring the money now placed to the Credit of the School Fund to the Sinking Fund was taken up and ordered engrossed for 3d reading —

At 10.45 A. M. the President announced that he was about to Sign H. B. No 24 "An Act to amend and repeal Certain Sections of the Act entitled An Act to incorporate the town of Lewiston —

H. B. No 23 "An Act Concerning Crimes and Punishments" was taken up, Rules suspended, Bill Considered Engrossed, Read 3d time and placed upon its passage —
The Question being "Shall the Bill pass?"
The Ayes and Nays were taken —
Ayes Messrs Brown, Connaday, Foote, Goodwin, Hawley, Howard, Martin, McNally, Stalker and Mr Speaker — 9

Nays — None

So the Bill passed.

C. B. No 20, "An Act to define the boundaries of Idaho County", was taken up and House Amendment to the same Concurred in.

C. B. No 26 "An Act Concerning Roads & Highways &c — and Certain Amendments thereto adopted, Rules Suspended, Bill Considered Engrossed, Read 3d time and placed upon its passage
The Question being "Shall the Bill pass?"
The Ayes and Nays were taken —
Ayes — Messrs Brown, Connaday, Foote, ~~Goodwin~~, Hawley, Howard, ~~Martin~~, McNally, Stalker and Mr Speaker — 8

Nays — None

So the Bill passed.

H. C. R. No 6, Asking Congress for Appropriations to print Laws was taken up read 1st and 2d times on Motion the Rules were Suspended. Bill read 3d time and placed upon its passage Resolution
The question being "Shall the Bill pass?"
The Ayes and Nays were taken.
Ayes Messrs. Brown, Connaday

Goulder, Hawley, Howard, Martin
McNaley, Stalker and Mr President
9-

Nays None
Resolution
So the ~~Bill~~ passed-

At 10.10 A.M. the President announced that he was about to sign S.B. No 57 an Act Creating the County of Bear Lake Also S.B. No 18 "an Act to provide for the disposal of Lands ceded as town Sites under the Act of Congress, Also S.B. No 61, "an Act providing for the Sale of County property in Shoshone, Nez Perce and Lemhi Counties, Also, S.B. No 64, "an Act to amend an Act relating to the various funds of Alturas County Also S.B. No 63 an Act relating to Common Schools in Shoshone County

S.B. No 39 "an Act Concerning Corporations was taken up and certain Amendments thereto adopted, Rules were Suspended, Bill Considered Engrossed, Read 3d time and placed upon its passage
The Question being "Shall the Bill pass?" The Ayes and Nays were taken Ayes- Messrs Brown, Cunningham, Goulder Howley, Howard, Martin McNaley Stalker and Mr President - 8

Nays - None
So the Bill passed,

...

...

By unanimous Consent of the Council Mr. Foote introduce Council Bill No 72 an Act to divorce J. C. and Sarah A. Baldwin read 1st and 2d times, on Motion Rules were suspended, Bill Considered engrossed, read 3d time and placed upon its passage -

The Question being "Shall the Bill pass?" The Ayes and Nays were taken -

Ayes - Mrs Brown, Cunnaday, Foote, Golden, Hawley, Martin, McNally and Walker - 8.

Nays - Mr Howard and Mr Shearer - 2

So the Bill passed.

By Consent of the Council the "Merry Fives" were allowed the use of the benches and Chairs this Evening -

On Motion of Mr Hawley Council took a recess until 3 o'clock -

Afternoon Session.

3 o'clock P. M.

Council Called to order,
President in the Chair.
Roll Called - all present except Mrs Angell, Hawley, Pickett and Robie.

Message from the Governor.

Executive Department.
Territory of Idaho
Boise City. Jany 5th, 1875

To the Council

I have this day approved C. B. No 18. "An Act to provide for the disposal of lands entered as town sites under acts of Congress. Also,

C. B. No 57. An Act- Creating and Organizing the County of Bear Lake. Also,

C. B. No 61 "An Act providing for the sale of County property in Shoshone. Nez Perce. and Idaho Counties. Also,

C. B. No 64 An Act- to Amend an Act- entitled "An Act- for the redemption of, and prescribing the manner of redeeming the outstanding warrants drawn upon the Treasurer of Alturas County &c Also.

C. B. No 63 "An Act relating to Common Schools in Shoshone County"

M. W. Bennett

Governor

Mr President;

Your Committee on Enrolled Bills beg leave to report that they have examined C. B. Nos 22 & 36 and find the same Correctly enrolled Also that C. B. Nos 63, 64, and 61, 18 and 57 were presented to the Governor for his Signature. Jany 5th A.D. 1875 at 15 minutes past 11 o'clock A.M.

Speeden
Chairman

H. B. No 53 "An act for the better protection of Stock to their rightful owners, was taken up read 1st and 2d times and refered to Committee on Agriculture -

By unanimous consent of the Council Mr Foote introduced C. B. No 73 "An act to Change the name of Kate Alexander to Kate Cecelia Johnson and appoints C. P. Johnson her Guardian, read 1st and 2d time, on Motion of Mr Foote, the Rules were suspended, Bill Considered engrossed, read 3d time and placed upon its passage

The Question being - "Shall the Bill pass?" The Ayes and Nays were taken, Ayes - Messrs Brown, Comiskey, Foote, Goulder, Hawley, Howard, Martin, McNally, Stalker and Mr President - 10.

Nays - None

So the Bill passed.

On Motion of Mr Foote Council adjourned until 10 o'clock tomorrow -

E. T. Beatty
President of the Council

E. T. Carr
Chief Clerk.

Thirty First Day.

Council Chamber
Boise City I.T. January 6th /75

Council met pursuant to adjournment
President in the Chair.
Roll called. All present except Mssrs
Angell, Robie and Prickett.
Journal of Yesterday read and approved.

Reports of Committees.

Mr. President;

Your Committee on
Enrolled Bills beg leave to report that
they have examined C. B. No 20 and
find the same Correctly enrolled

Goulder
Chairman

Mr President;

Your Committee on
Printing beg leave to report that
they find C. B. No 59 Correctly printed

Goulder,
Chairman

Mr President-

A Majority of the Boise
County Delegation to whom was referred
C. B. No 60 have considered the same
and recommend that it do not
pass.

Leonard
Foote,

Mr President,

The undersigned of the Boise delegation cannot agree with the report of his Colleagues on H. B. No 60 in regard to abolishing the County Hospital of Boise County and for other purposes, but thinks that the Bill should pass as it would do away with the Odious Hospital tax, lessen, materially the expenses of Boise county, would not injure any person in the County, and would give General Satisfaction to the people. There have many great wrongs perpetrated upon the people of Boise County in connection with this hospital business and under the present System such wrongs can still be practiced, while under the proposed law it would be impossible to do so

J. H. Hawley
of Boise Co. Delegation

Mr President,

Your Committee to whom was referred H. B. No 32 regulating divorce report that the former portion of the Bill is a substantial Copy of the old law and the provision relating to agreements for divorce and the decree founded on the agreement is an innovation upon the old law and deserves due Consideration and discussion before passage

Martin

Mr President,

Your Committee on Finance to whom was referred H. B.s Nos 58 & 59 an act to fund the debt of Boise county and the act supplementary thereto, regulating the Apportionment of money in the County Treasury report the same back and recommend their passage.

Hawley,

Mr President.

Your Special Committee to whom was referred S. B. No 28 would recommend that the 2d section thereof be stricken out and the Act passed.

Yeoki
In behalf of Com.

Message from the House,

House of Representatives
Jany 5th, 1875,

Mr President,

I am instructed to inform your honorable body that the House have passed the following bills, which are herewith transmitted,

S. B. No 24 an act to prevent certain officers from dealing in certain Securities.

Also. S. B. No 25 an act relating to Bonds Lewd Bills &c Also

S. B. No 29 an act to provide for the formation of partnerships, Also S. B. No 33. an act concerning Commissioners of Deeds. Also

S. B. No 35 an act concerning Guardians, Also,

S. B. No 37 an act relating to Bills of Exchange & promissory Notes Also S. B. No 46 an act concerning County Treasurers,

Also, S. B. No 46 an act in relation to Money of Accounts and interest.

Also, S. B. No 47 an act Concerning Conveyances, Also, S. B No 49 an Act for the protection fish

I. D. Cahalan
Clerk of House of Rep.

Mr President; (Same date as above)

I am instructed to inform Your honorable body that the House have passed the following bills, &c,

C. B. No 41 an act - Concerning Chattel Mortgages Also,

C. B. No 3, an act - regulating the issuing new Territorial Bonds made interchangable for old bonds,

Also. C. B. No 65 an act - to disolve the bonds of Matrimony between Ernestine Schwabe and Julius Schwabe, Also,

H. B. No 31 an act - for securing liens to Mechanics and others, The House have also had in due Consideration H. B. No 4 to reapportion the Members of the Legislature of Idaho Territory and respectfully return to Concur in Council Amendment to the same, Which are herewith transmitted

J D Mahaffey
Clerk of House of Rep.

By unanimous Consent of the Council Mr Hawley introduced C. B. No 74 "An act - to amend an act - fixing the fees and Salaries of Certain Officers in Boise County - Read 1st and 2d time and referred to Committee on Finance

By unanimous Consent of the Council Mr Martin introduced C. B. No 75 "An act - to provide for the Copying of Records &c in Owyhee County - Read 1st and 2d time and referred to Judiciary Committee

By unanimous Consent of the Council Mr Hawley introduced C. B. No 76 "An act - to disolve the bonds of Matrimony between Mary Donahue and Michael Donahue - Read 1st and 2d time and

On Motion the Rules were suspended Bill considered engrossed, read 3d time and placed upon its passage. The Question being "Shall the Bill pass? The Ayes and Nays were taken Ayes - Messrs Brown, Learmonday, Foote Goulden, Hawley, Martin, McNally and Stalker - 8

Nays. Messrs Howard, and Mr Parsons 2

So the Bill passed.

By unanimous Consent of the Council Mr Foote introduced C. B. No 77 "An act to dissolve the bonds of Matrimony between Thorgi Englehard and Wilhelmmina Englehard. Read 1st and 2d times and on Motion the Rules were suspended, Bill Considered engrossed read 3d time and placed upon its passage. The Question being Shall the Bill pass? The Ayes and Nays were taken.

Ayes - Messrs Brown, Learmonday, Foote Goulden, Hawley, Martin, McNally and Stalker - 8

Nays - Mr Howard & Mr Parsons 2

So the Bill passed -

On Motion of Mr Martin C. B. No 32 "An act regulating Divorces was made the Special order for Friday Evening next at 7 o'clock —

At 11.10 A.M. the President announced that he was about to sign S.B. No 20 "An act to define the boundaries of Idaho County Also, S.B. No 36, "An act Concerning Fraudulent Conveyances, Also, S.B. No 22 "An Act to regulate the Settlement of the estates of Deceased persons"

H.B. No 4 "An Act to apportion the Members of the Legislature of Idaho. was taken up, read 3d time and placed upon its passage -
The Question being "Shall the ~~Council~~ ~~insist upon their amendments~~ ~~thereto~~

S.B. No 3 "An Act relating to the issuing of New bonds &c, was taken up and House amendments thereto adopted.

H.B. No 31 "An Act for Mechanics liens to Mechanics and others was taken up and read 1st and 2d times and referred to Special Committee on Leach -

S.B. No 60 "An Act to abolish hospital tax in Boise County was taken up Rules Suspended, Bill Considered as passed, read 3d Time and placed upon its passage -
The Question being "Shall the Bill pass?"
The Ayes and Nays were taken -
Ayes - Messrs ~~Bowers~~ Hawley, and Howard - 3

Nays - Mess. Commadon, Scott, McNally Stalker and Mr Speaker - 5

So the Bill failed to pass.

By Unanimous Consent- Off the Council
Mr Bowden, introduced C. B. No 78 an
Act to divorce Seneca Watson and
John Watson, read 1st and 2d time
On Motion, the Rules were suspended
Bill considered engrossed, read 3d
time and placed upon its passage
The Question being "Shall the Bill pass?
The Ayes and Nays were taken -
Ayes - Mssrs Brown, Commadey, Foote
Bowden, Hawley, McNally
and Stalker - 7.

Nays Mr Howard & Shiaken - 2

So the Bill passed

On Motion of Mr Howard, Council
took a recess until 3 o'clock.

Afternoon Session.

3 o'clock P. M.

Council Called to Order.
President in the Chair.
Roll called - all present except Mssrs
Angell, McNally, Prickett and
Robie.

Reports of Committees

Mr President:

Your Committee on Finance
to whom was referred C. B. No 7 "An Act -
fixing the fees and Salaries of Certain
Officers of Boise County, Report the Same
Back and as the Bill meets the approbation
of the entire Boise delegation, would
recommend its passage - H. Hawley.

Mr President;

Your Committee on Agriculture to whom was referred H. B. No 33 "An act for the better protection of Stock to their rightful owners"- have had the same under Consideration; beg leave to report it back and recommend its passage

Stalker
Chairman

Mr President,

Your Committee to whom was referred H. B. No 30 "An act Concerning County Recorders and Auditors", recommend its passage, it being nearly a Copy of the present law we recommend an Amendment to the last Section,

Howard
Hawley
Brown
} Committee

Mr President,

Your Committee on Enrolled Bills beg leave to report that they have examined H. B. No 62 and find the same Correctly enrolled; Also, That H. B Nos 22, 20 & 36 were presented to the Governor for his Signature, January 6th, at 15 minutes past 11 o'clock A. M.

Loudon
Chairman

Mr President;

I hereby give Notice that on tomorrow, I will move to reconsider the vote by which H. B. No 60 was lost,

Stalker

Mr President.

Your Committee to whom was referred H.B. No 75 have examined the Same and recommend its passage.

Foote
Chairman

Message from the Governor.

Executive Department
Territory of Idaho
Boise City, Jany 6th, 1875

To the Council,

I have this day approved H.B. No 36 "An Act- Concerning fraudulent Conveyances and Contracts"; Also, H.B. No 22 "An Act- to regulate the Settlement- of the estates of deceased persons"

Also, H.B. No 31 "an Act- defining the rights of husband & wife

T. W. Bennett
Governor.

H.B. No 28, "an Act- defining the time of Commencing Civil Actions", was taken up and certain amendments thereto adopted, Rules suspended, Bill Considered engrossed, read 3d time and placed upon its passage- The Question being- "Shall the Bill pass. The Ayes and Nays were called Ayes- Mess Brown, Counaday, Foote, Goulder, Hawley, Howard Martin, Stalker & Mr President- 9

Nays- None

So the Bill passed.

C. B. No 58. an act to fund the debt of Boise county was taken up and ordered engrossed for 3d reading -

C. B. No 59. "an act to provide for the payment of all Current expenses of Boise county was taken up and ordered engrossed for 3d reading -

At five minutes past three, the President announced that he was about to sign H.B. No 29 "an act to prevent Cruelty to Animals, Also

H. B. No 19 'an act to dissolve the bonds of Matrimony between Mary E. Lindner and Samuel Lindner Also;

Ho. B. No 28 "An act relating to Assessing and Collecting Territorial and County Revenue.

By unanimous Consent of the Council Mr Martin introduced C. B. No 79 "An act defining the District of Districts Attorneys. Read 1st and 2d time and referred to Committee on Judiciary.

C. B. No 74 "An act to amend an act fixing the fees and Salaries of certain Officers of Boise County, was taken up, on motion the Rules were suspended, Bill considered engrossed, read 3d time and placed upon its passage -

The Question being, "Shall the Bill pass? The Ayes and Nays were taken - Ayes - Messrs Brown, Comingsby, Foote Goulder, Howard, Hawley Martin, McNully, Stallsmith and the President - 10 -

Nays - None.

So the Bill passed;

L. B. No 75 "An act to provide for the Copying of Records &c of Owyhee County was taken up. On Motion the rules were Suspended. Bill Considered engrossed read 3d time, and placed upon its passage The Question being Shall the Bill pass? The Ayes and Nays were called -

Ayes - Mssrs Brown, Cunningham, Foote Goulder, Hawley, Howard, Martin Mc Nully, Stalker and Mr President - 10

Nays - None

So the Bill passed;

H. B. No 33 "An act for the better protection of Stock to their rightful owners" was taken up, read 3d Time and placed upon its passage -

The Question being - "Shall the Bill pass? The Ayes and Nays were taken

Ayes. Mssrs Brown, Cunningham, Foote Goulder, Hawley, Howard, Martin Mc Nally, ~~Stalker~~ and Mr President - 9

Nays - Mr Stalker - 1

So the Bill passed

By unanimous Consent of the Council Mr Mc Nally introduced L. B. No 80, "An act to restrain the herding of Sheep, read 1st & 2d times and referred to Committee on Agriculture -

Co. B. No 30. "An act Concerning County Recorders and Auditors was taken up and Certain Amendments thereto adopted. Rules Suspended, Bill Considered engrossed read 3d time and placed upon its passage The Question being "Shall the Bill pass?" The Ayes and Nays were taken —

Ayes - Messrs Brown, Commaday, Foote Gooden, Hawley, Howard, Martin Mc Nulty, Stalker, and Mr President — 10.

Nays - None

So the Bill passed.

On Motion of Mr Stalker Council adjourned until tomorrow at 10 o'clock,

E. F. Carr
Chief Clerk.

E J Beatty
President of the Council

Thirty Second Day.

Council Chamber,
Boise City I. T.
January 7th, 1875

Council met pursuant to adjournment
President in the Chair.
Roll Called - All present except Mess
Prickett and Robie -
Prayer by the Chaplain,
Journal of yesterday read and approved,

Reports of Committees.

Mr President;

Your Committee on Agriculture to whom was referred C. B. No 80. "An act to restrain the herding of Sheep" have carefully considered the same, beg leave to report it back and recommend its passage

Shelton
Chairman

Mr President;

Your Committee on Engrossed Bills have examined C. B.s Nos 16, 68, & 70 and find them correctly engrossed.

Howard
Chairman

Mr President:

Your committee to whom was referred S. B. No 79 have examined the same and would recommend that Section 2d be amended so as to read as follows: After the word "Shoshone" in line 10 - insert -

"District - No 2"

shall consist of the counties of Boise, Ottawa and Ada"

In line 13 after the word "Lemhi" insert - the words "District - No 3 shall consist of the Counties of Owyhee, Oneida, Lemhi and Bear Lake".

Your committee recommend the above amendments in order to make the district attorney districts, Conformable to the Judicial districts -

Foote
Chairman

Messages from the House,

House of Representatives
January 6th, 1875,

Mr President;

I am instructed to inform your honorable body that the House have had under Consideration and rejected the following bills which are herewith returned -

S. B. No 76 to dissolve the bonds of Matrimony between George Englehardt and Wilhelmina Englehardt, also,

S. B. No 78 "an Act to dissolve the bonds of Matrimony between Emma Watson and John Watson -

The House has had under consideration and indefinitely postponed S. B. No 72 an Act to dissolve the bonds of Matrimony between J. C. Baldwin and Sarah A. Baldwin

L. D. Calhoun
Clerk of House of Representatives

House of Representatives
January 6th, 1875

Mr President.

I am instructed to inform your honorable body that the House have had under consideration.

And passed

H. B. No 25 "An act fixing the fees of certain Officers of Ada county with certain amendments"

Also.

H. B. No 39 "An act to dissolve the bonds of Matrimony between Catharine Moore and David Moore and to change the name of Catharine Moore and respectfully ask the Concurrence of the Council thereto

Which are herewith transmitted

L. D. Cahalan
Clerk of House of Rep.

H. B. No 70 "An act to restrain the herding of sheep was returned by the Committee and ordered engrossed for 3d reading

H. B. No 79 "An act defining the Districts of Districts Attorneys was returned by the Committee and ordered engrossed for 3d reading -

At 10.45 A.M. the President announced that he was about to sign H. B. No 62. "An act relating to Insurance Companies

H. B. No 71 "An act to Amend an act to Incorporate Boise City was taken up read 3d time and placed upon its passage The Question being - "Shall the Bill pass? The Ayes and Nays were taken ... Ayes - Messrs Brown, Carmaday, Forte Gooding, Hawley, Howard, Martin McNally, Stalker and Mr President 10 - ...

Nays None.

So the Bill passed.

S. B. No 66. "An act to empower the Assessor of Owyhee County to Collect taxes, was taken up read 3d time and placed upon its passage
The Question being - "Shall the Bill pass?
The Ayes and Nays were taken -
Ayes - Mess Cannaday, Foote, Gooder, Hawley, Howard, Martin, McNally, Stalker and Mr President - 9

Nays - Mr Brown - 1

So the Bill passed.

S. B. No 68. An act transferring the Money now placed to the Credit of the School Fund to the Sinking Fund, was taken up, read 3d time and placed upon its passage -
The Question being - "Shall the Bill pass?
The Ayes and Nays were taken,
Ayes - Messrs Gooder, and Hawley - 2

Nays - Messrs Brown, Cannaday, Foote Howard, Martin, McNally, Stalker and Mr President - 8

So the Bill failed to pass.

At 11,45 A.M. the President announced that he was about to sign H. B. No 55 relating to Roads and Highways in Boise County, Also. H. C. R, No 6 relating to Appropriation for printing Code Laws.

H. B No 25 "An act fixing the fees of Officers of Ada County, was taken up, read 1st and 2d Times and referred to Committee on Finance

H.B. No 39 "An act to divorce Catharine Moon and David Moon was taken up. read 1st and 2d times, Rules were Suspended Bill Considered engrossed, read 3d time and placed upon its Passage -

The Question being - "Shall the Bill pass?" The Ayes and Nays were taken Ayes - Messrs Brown, Cannaday, Foote Gouldin, Hawley, Martin and Stalker - 7

Nays - Messrs Howard, McNally and Mr President - 3

So the Bill passed.

A Motion to reconsider S.B. No 60 was lost -

On Motion of Mr Gouldin Council took a recess until 3 o'clock.

Afternoon Session,

3 o'clock P. M.

Council Called to order,
President in the Chair,
Roll Called. All present except Messrs Cannaday, Prickett and Robei -

Reports of Committees,

Mr President -

Your Committee on Enrolled Bills beg leave to report that have examined S.B.s Nos 29, 43, 41, 45, 44, 27, 47, 34, 35, 25, 46, 24, 49, 33, 37, 40, 65 & 3, and find them Correctly enrolled - Gouldin Chairman

Mr President:

Your Special Committee to whom was reference H. B. No 31. "An act for securing liens to Mechanics and others, and recommend its passage as it comes from the House, it being merely a Copy of the lien Law now in force —

Howard
Hawley

On Motion of Mr Stalker the Vote was reconsidered by which S. B. No 79 relating to District Attorneys was ordered engrossed and the Engrossing Clerk requested to return the same to the Council —.

H. B. No 31 "An act for securing liens to Mechanics and others was returned by the Committee, Read 3d time and placed upon its passage —

The Question being "Shall the Bill pass?" The Ayes and Nays were taken Ayes — Messrs Brown, Foote, Goudey, Hawley, Howard, Martin, McNally, Stalker and Mr President — 9.

Nays — None —

So the Bill passed.

At 3.15 P. M. the President announced that was about to sign S. B's. No's 29, 43, 41, 45, 44, 27, 47, 34, 35, 25, 46, 24, 49, 33, 37, 40, 65 & 3.

Message from the House.

House of Representatives
January 7th, 1875.

Mr President.

I am instructed to inform your honorable body that the House have had under Consideration and passed

H. B. No 13 "An Act granting aid to Telegraph Lines in Idaho Territory"

Also.

H. B. No 37. "An Act to prevent frauds at elections"

Also,

H. B. No 23 "An Act dissolving the bonds of Matrimony between Lydia A. Patten and Amos C. Patten,

Also.

C. B. No 39 "An Act Concerning Corporations,

Also, C. B. No 26. "An Act Concerning Roads, Highways, Trails & Thoroughfares

Also.

H. B. No 36. "An Act to amend an Act approved ~~December~~ 17, 1864 entitled an Act Regulating Elections,.

Also.

H. B. No 11 an Act for the protection of growing Crops in County of Ada

T. D. Cahoon
Clerk House of Reps

H. B. No 12 "An Act to Aid in the Construction of Telegraph Lines in Idaho Territory, was taken up read 1st and 2d time and refered to Judiciary Committee

Motion of Mr Stalker to reconsider the vote by which the Amendment to H. B. No 79 was adopted, was lost, and the Bill again ordered engrossed for 3d reading -

H. B. No 37 "An Act to prevent - fraud at elections was taken up, read 1st and 2d times and refered to Committee on Locale,

H. B. No 23, "An act to divorce Lydia Ann Patten and Lucien C. Patten, was taken up read 1st and 2d time and refered to a Special Committee Composed of Mess Commacey Foote and McNally -

H. B. No 36 "An act relating to elections was taken up, read 1st and 2d times and refered to Committee on Locale -

H. B. No 41 an act for the protection of the growing Crops of Ada County, taken up, read 1st and 2d times and refered to Committee on Agriculture

On Motion of Mr Stalker Council adjourned until tomorrow at 10. oclock.

E. J. Beatty
President of the Council

E. J. Kay
Chief Clerk

Thirty Third Day.

Council Chamber
Boise City, I. T. Jany 8th, 1875.

Council Met pursuant to adjournment.
President in the Chair.
Roll called - all present - except Mess^rs
Angell, Howard, Prickett and Robie.
Prayer by the Chaplain.
Journal of Yesterday read and approved

Reports of Committees.

Mr President;

Your Committee on Enrolled Bills beg leave to report that they presented to the Governor C. B^s Nos 3. & 65 at half past 10 o'clock A.M. Jany 8th, 1875

Goulden
Chairman

Mr President;

Your Committee on Agriculture to whom was referred H. B. No 41 "an act for the protection of growing Crops &c, beg leave to report it back and recommend its passage

Stalker
Chairman

Message from the House.

House of Representatives
January 7th, 1875

Mr President;

I am instructed to inform your honorable body that the House requests a Committee of Conference to be appointed by the Council, to Confer with a like Committee appointed by the House

in relation to Council Amendment to H. B. No 4 relating to a reapportionment of the members of the Legislature and that the House has appointed Messrs Peirce and Campbell on the part of the House =

Respectfully Submitted

I. D. Cahulin
Clerk House of Rep.

At 10.20 A.M. the President announced that he had just signed S. B. No 44 an act Concerning Coroners & Constables also, S. B. No 3 "An act relating to the issuing of New Bonds &c.
Also, S. B. No 65 an act to divorce Ernestine Schnabble and Julius Schnabble

By unanimous Consent of the Council Mr Foote introduced S. B. No 81 "An act to Compensate J. S. Bernard"
Read 1st & 2d time and referred to Committee on Finance,

H. B. No 41 "An act for the protection of the Growing Crops of Ada County, was taken up read 3d time and placed upon its passage the Question being - "Shall the Bill pass?
The Ayes and Nays were taken -
Ayes. Messrs Brown, Cunningley, Foote, Howard, Shelton and Mr President - 6 -

Nays - Messrs Hawley, Martin and Worley - 3

So the Bill passed -

Mr Mrs Cannaday and Mr Kelly were appointed a Special Committee of Conference to Confer with a like Committee from the House with reference to H.B. No 4 "An Act to reapportion Members of the Legislature

Mr President,

One of your Committee on Education to whom was referred S.B. No 7. I have had the same under Consideration and beg leave to report the Bill back without recommendation

Gowen
On behalf of Committee

On motion of Mr Howard the record of Bills after Bill Book was read for information of the Council.

On motion of Mr Hawley all Committees were requested to report all Bills back to the Council if possible by Monday next.

On motion of Mr Foote. Council took a recess until Three Oclock. P.M.

Afternoon Session
3 Oclock P.M.

Council called to order. President in the Chair. Roll called all present except Messrs Bidwell, Foote, Pickett and Robie.

Reports of Committees.

Mr President

Your committee on Finance to whom was referred H.B. No. 81. An act for the relief of J. C. Bernard, report the Bill back to the Council and recommend that it be considered in committee of the whole.

Hawley
Chairman.

Mr President.

The conference committee to whom was referred H. B. No. 4. An Act to reapportion the Members of the Legislative Assembly of Idaho Territory, would respectfully recommend that the House recede from their non-concurrence to the Council amendment and that they do concur.

On behalf of the House { T. Campbell / J. B. Pierce

On behalf of the Council { John M. Kennedy / John Mc. Kelly

Mr President.

Your Committee on Enrolled Bills, beg leave to report that Council Bill No. 62. was presented to the Governor for his signature January 8th A.D. 1875, at 3 O'clock P.M.

Goulder
Chairman

Mr President, Your Committee on Engrossed Bills have examined C. Bills No. 59. 80. 79. and 58. and find them correctly Engrossed.

Howard
Chairman

Message from the House

Mr President. I am instructed to inform your Honorable body that the House have had under consideration and passed, H.B. No 28. An Act defining the time of commencing Civil Actions.

Also H.B. No 42 An Act to provide for the care, management and control of Ordnance and Ordnance stores belonging belonging to the Territory of Idaho. the said Bill being a Substitute for H.B. No 10. relating to the distribution of Arms in the hands of Territory.

Also House substitute for H.B. No 73. An Act to change the name of Kate Alexander and make her the heir of Orville P. and Rosanna E. Johnson. added to make them her Guardian

Also H.B. No 46. An Act supplementary to an Act entitled. An Act in relation to money of account and Interest.

Also H.B. No 48. An Act to compell miners or others who sink shafts. or make excavations in the earth to fence in or fill up the same and Respectfully ask the Concurrence of the Council thereto. which is herewith transmitted.

T. D. Cahalan
Clerk House of Representatives.

Message from the Governor.

Executive Department
Territory of Idaho.
Boise City Jan 8th 1876.

To the Council

I have this day approved C.B.No.20. An Act to define the boundaries of Idaho County.

Also C.B.No.3 An Act providing for the issuing of new Bonds, to be interchangable for the Bonds of the Territory of Idaho issued under the provisions of Acts of the Legislative Assembly, approved respectfully January 12th 1866 and January 14th 1867. for the sale and negotiation of such new Bonds in certain cases. and for the repeal of the Acts above mentioned.

Also C.B.No.65. An Act to declare the bonds of Watrous belonging Conselius Schnable and Julius Schnabe.

Also C.B.No.62. An Act to exempt fire Insurance Companies their Agents or Agents from the provisions of an Act. Relating to Insurance Companies.

T. W. Bennett.
Governor.

The report of the Conference Committee appointed to confer with a like Committee from the House relative to C.B.No.4 An Act to reapportion the Members of the Legislative Assembly. was adopted.

First reading of Bills

H.B. No. 48. An Act relating to the sinking of shafts &c. was taken up read 1st & 2nd time and referred to Committee on Mines and Mining.

H.B. No. 46. An Act relating to money of account and interest was taken up read 1st & 2nd time and referred to Committee on Finance.

House Substitute for H.B. No. 73. An Act to change the name of Kate Alexander was taken up read 1st & 2nd time and referred to Committee on Judiciary.

H.M. No. 8. asking Congress to make a survey of Snake River, was taken up read 1st & 2nd time. rules suspended read 3rd time and placed upon its final passage. The question being shall the Memorial pass the ayes and nays were called. Ayes Messrs Bowen. Cannady. Foote. Goulder Manley. Howard. Martin. McNally. ~~Proctor~~. Slatter. Mr. President. 10. nays none absent Messrs Angell. Fickett. and Robi es the Memorial passed.

H.B. No. 42 being a Substitute for H.B. No. 10. relating to the distribution of arms was taken up read 1st & 2nd time and referred to Committee on Military affairs.

3rd reading

H.B. No. 1. An Act relating to the Common Schools System was taken up read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called, Ayes Messrs Bowen, Cannady. Foote. Goulden. Manly. Howard McNally. Slatter. Mr. President, 9

Ayes Mr Martin. 1
absent Messrs Angell. Dickett and Robie.
So the Bill failed to pass.

H. B. No 79. An Act defining the Districts of District Attorneys was taken up read a 3rd time and placed upon its final passage. the question being shall this Bill pass The ayes and nays were called. Ayes Messrs Cannady. Foote. Martin and Mr President. 4.
Nays Messrs Brown. Goulder. Hawley. Howard. McNally. Stalker. 6
absent Messrs Angell. Rickett and Robie.
so the Bill failed to pass.

H. B. No 58. An Act to fund the Debt of Boise County was taken up and made special order for tomorrow Evening at 7 Oclock -also H. B. No 59. An Act for the payment of all current expences of Boise Co.

H. B. No 80. an Act to restrain the herding of Sheep was taken up read 3rd time and placed upon its final passage the question being shall the Bill pass the Ayes and Nays were taken.

Ayes Messrs Foote. Goulder. Hawley. Martin McNally. Stalker. Mr President. 7
Nays Messrs Brown. Cannady. Howard. 3
Absent Messrs Angell. Rickett and Robie

Committee of the Whole.

On motion of Mr Hanley. Council resolved itself in committee of the Whole to take under consideration C.B. No 81. An Act to compensate J.E. Bernard. Committee arose and reported the Bill back to the Council recommending its passage. and the Bill ordered Engrossed for a 3rd reading.

On motion the vote was reconsidered by which C.B. No 82 An Act Regulating Divorces was made the Special order for 7 Oclock this evening. and on motion the Bill was made the special order for 8 Oclock tomorrow.

On motion of Mr Foote the Enrolling Committee was instructed to withhold all the Code Bills. and present them to the Governor all together four days before adjournment.

By unanimous consent of the Council Mr Walker introduced C.B. No 82 An Act defining the boundaries of Alberni County except 1st & 2nd lines and referred to Committee on Counties and to Boundaries.

On motion of Mr Hanson Council adjourned until tomorrow at ten Oclock.

E.G. Beatty
President of the Council.

E.G. Carr
Chief Clerk

Thirty fourth Day

Council Chamber
Boise City. I. T.
Jan 9th 1875

Council met pursuant to adjournment.
President in the chair
Roll called all present
except Messrs Pickett and Robie.

Reports of Committees.

Mr President.

Your Committee on Printing
beg leave to report that House Bill No. 1
which was ordered printed January 2nd
has been since that date in the hands
of the printer. the matter contained in
the Bill is now in type and proof in the
printing Office. the Bill itself in the
possession of the Council having been
reported back by the Committee on
Education.

Goulder
Chairman.

Mr President

Your Committee on Finance
to whom was referred H. B. No 44. An Act rela-
ting to money of account and interest,
have considered the same and rec-
commend its indefinite postponement.

Hawley
Chairman

Mr President.

Your Committee on Engrossed
Bills have examined H. B. No 81. and find
the same correctly Engrossed.

Howard
Chairman.

Reports of Committees

Mr President.

As one of your committee on Education to whom was referred H. B. No. 1 I have had the same under consideration and beg leave to report the Bill back without recommendation.

Goulder
Chairman

Mr President.

The undersigned of your special committee on Code I have had under consideration H. B. No 54. An act relating to Elections. Also H. B. No. 86 and H. B. No. 37. and have incorporated the two latter acts with the former and recommend its adoption.

Hawley
Howard } per committee

Mr President

Your committee to whom was referred H. B. No. 42. have examined the same and recommend its passage with an amendment.

Forte
Chairman.

Mr President.

Your committee to whom was referred Substitute for H. B. No. 73. have examined the same and recommend its passage.

Forte
Chairman

By unanimous consent of Council
Mr Slaker introduced C.B.No 83
An Act to regulate the catching of fish
in the Counties of Oneida and Bear Lake
read 1st & 2nd time rules suspended
considered Engrossed, read a 3rd time
and placed upon its final passage
the question being shall the Bill pass
the ayes and nays were called

Ayes Messrs Angell, Brown, Cannady, Foote,
Goulder, Hawley, Howard, Martin,
McNally, Slaker and Mr President. 11
Nays none.
Absent. Messrs Pickett and Rohrer.
So the Bill passed
C.B.No 42. An Act to provide for the
disposition of stone. was taken up
read a 3rd time. certain amendments
thereto offered and the Bill placed
upon its final passage the question
being shall the Bill pass the ayes
and nays were called
Ayes Messrs Angell. Foote.
Goulder, McNally. 4.
Nays Messrs Brown, Cannady, Hawley.
Howard. Martin, Slaker and Mr President 7.
Absent Messrs Pickett and Rohrer.

C.B.No 81 An Act compensating J.C. Bernard
was taken up read a 3rd time and placed
upon its final passage, the question being
shall the Bill pass the ayes and nays
were called.
Ayes. Cannady, Foote. Goulder, Martin
Slaker. and Mr President. 6.
Nays Messrs Angell. Brown. Hawley. Howard
McNally. 5
Absent Messrs Pickett and Rohrer,
so the Bill passed

3rd reading of Bills

H.B.No. 46. An Act relating to money of account and ordered was taken up and on motion of Mr Hawley was indefinitely postponed.

House Substitute for H.B.No. 73 An Act to change the name of Kate Alexander. was taken up read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and noes called.

Ayes Messrs Angell. Brown. Kennedy. Foote. Goulder. Howard. Martin. McNally. Slatter and Mr President. 10.

Nays Mr Hawley. 1

Absent Messrs Sprickett and Robie.

so the Bill passed

H.B.No. An Act to establish a Public School System. was taken up and on motion of Mr Hawley was made the special order for Monday at 2 Oclock P.M.

At 11-15 a.m. the President announced that he was about to sign H.B.No. 29 An Act to divorce Catharine Moore and David Moore, Also H.B.No. 33. An Act for the better protection of Stock in their Rightful owners.

H.B.No. 54 An Act relative to Elections was taken up and certain amendments thereto adopted. including the incorporation of H.B.Nos 36 and 37. on motion the Rules were suspended the Bill considered Engrossed read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Bonnn. Cannady Foote. Goulder. Hawley. Howard. ~~Hatton~~ McNally. Slatken and Mr President 10. Nays None.
Absent Messrs Martin. Pickett and Robie. so the Bill passed
On motion of Mr Hawley H. Bill No. 36 and 37 were indefinitely postponed.

On motion of Mr Goulder Council took a recess until 3 Oclock P. M.

Afternoon Session
Council Chamber
3 Oclock P. M.

Council called to order President in the chair Roll called all present except Messrs Hawley, Pickett and Robie.

Reports of Committees.

Mr President,

Your Committee on Mines and Mining to whom was referred H. B. No. 48, have had under consideration and recommend the indefinite postponement of the same. because the Bill seems to be of doubtful Constitutionality in this: that it is a Public interference with Private rights secured by Territorial and Natural Laws.

Committee { J. McNally
W. H. Angell.
W. A. Goulder.

Mr President Your Committee on Enrolled Bills beg leave to report that they find Council Bills Nos 26 and 39 correctly Enrolled.

Goulder
Chairman

Message from the House.

Mr President I am instructed to inform your Honorable body that the House have had under consideration and passed H.B.No. 30 An Act Regulating to County Auditors and Recorders.

Also H.B.No 43. An Act concerning County Sheriffs.

Also H.B.No 75 An Act to provide for the copying of records and marking Indexes in Ada the County D.T.

Also had under consideration Council amendment to H.B.No 4 relating to reapportionment of Members of the Legislative Assembly. and has receeded from its nonconcurrence in said amendment and has this day concurred in the same

Also has passed H.B.No 40, An Act regulating Salaries and Fees of certain Officers of Alfras County.

Also H.C.R.No 7 authorizing the Governor of Idaho to distribute Arms. which are herewith transmitted

Also H.B.No 51. an Act relating to District Attorneys and defining their Duties.

I. D. Cahalan
Clerk House of Representatives

H. B. No. 52 An Act regulating Divorces made Special order was taken up amendment offered which was rejected. Read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.
Ayes Messrs Angell. Brown. Kennedy. Foote. Goulder. Hawley. Heyward. Martin. McNally. Stalker and Mr President 10.
Nays None.
Absent Messrs Pickett and Robie.
So the Bill passed
At 8-45 P.M. the President announced that he was about to sign H. B. No. 81 relating to Mechanics Lien. also H.B. No. 8 relating to survey of Snake River. also H. B. No. 41. An Act for the protection of growing crops in Ada County.

H. C. R. No. 8 relating to the distribution of Arms &c was taken up and on motion of Mr Goulder was laid temporarily on the table.

H. B. No. 51. An Act relating to District Attorneys was taken up read 1st & 2nd time and referred to Committee on Territorial Affairs.

H. B. No. 40. Regulating Fees and Salaries of certain Officers in Alturas County read 1st & 2nd time rules suspended read 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.
Ayes Messrs Brown. Kennedy. Foote. Goulder. Hawley. Heyward. Martin. McNally. Stalker and Mr President 10.
Nays none Mr Angell
Absent Messrs Pickett and Robie.
So the Bill passed.

Bills Introduced

By consent of the Council Mr Martin introduced H.B. No 84. An Act for the relief of P.M. Sullivan read 1st and 2nd time and referred to Committee on Education.

H.B. No 48. An Act relating to the filling up of old Shafts &c was taken up and on motion was indefinitely postponed.

By unanimous consent of the Council Mr Stalker was allowed to withdraw H.B. No 82. An Act defining the boundary of Alturas County.

On motion of Mr Foote Council adjourned until monday morning at ten O'clock.

E.T. Beatty
President of the Council

E.J. Carr
Chief Clerk

Thirty Sixth Day.

Council Chamber.
Boise City. I. T.
January 11th A.D. 1875.

Council met pursuant to adjournment.
President in the chair. Roll called all present except Messrs Cannady. Stanley and Robie. Journal of January 9th read and approved.

On motion of Mr Goulder a call of the House was made. Absent Messrs Cannady. Stanley and Robie. Messrs Stanley and Cannady appeared at the bar and further call dispensed with.

On motion of Mr Goulder Messrs Goulder and Stalker. were appointed as special committee to examine the Controllers Office. a request for the same having been made by the Controller for the purpose of vindicating himself from certain charge made by the "Idaho World"

Reports of Committees.

Mr President

Your special committee on the Code have had under consideration C.B.No 51 An Act to regulate proceeding in Criminal Cases in the Courts of Justice and have carefully compared and corrected the Engrossed. Original and Enrolled Copies. there are a number of minor amendments proposed that we think advisable to adopt. but there are several serious changes proposed, that we ~~think~~ advisable would like to have acted

upon by the Council, to wit— Sec 583. to 590 concerning criminal prosecution of Corporations.

Sec. 651. Authorizing the Governor to offer rewards.

And Sec 673 of the old Act which is omitted in the present Act.

Respectfully submitted

Committee { Howard, Hawley, Broyles

Mr President.

Your Committee to whom was referred H.B. No 15. beg leave to report that they have had the same under consideration and recommend its indefinite postponement.

Goulder
Chairman.

Mr President.

Your Committee on Finance to whom was referred H.B. No 85. An Act fixing the Fees and Salaries of certain Officers of Ada County, report the Bill back to the Council and in accordance with the suggestion of the only member of the Ada Delegation who appeared before us, report a Substitute and recommend that the Original Bill do not pass.

Committee { Hawley, Angell, Brown

Mr President. Your Committee to whom was referred H. B. No. 23. have examined the same and recommend its passage.

Committee { Cannady / McNally / Foote.

H. B. No. 25. An Act fixing the Fees of certain Officers of State. was returned by the Committee with a Substitute on motion of Mr Pickett was made the special Order for 8 P.M. to-day.

H. B. No. 23. An Act to divorce Sydnia Ann Patton and Green C. Patton. was taken up read a 3rd time and placed upon its final passage, the question being shall the Bill pass the ayes and nays were called. Ayes Brown. Foote. Goulder. Hawley. Martin. Slatter. 6.
Nays Messrs Angell. Howard. McNally. Pickett and Mr President. 5
Absent Messrs Cannady and Robie.
so the Bill passed.

H. B. No. 57. An Act to regulate proceedings in Criminal Cases was taken up amendments thereto adopted Rules suspended considered Engrossed read a 3rd time and placed upon its final passage. the question being shall the Bill pass the ayes and nays were called. Ayes Messrs Angell. Brown. Foote. Hawley. Howard. Martin. McNally. Pickett. Slatter and Mr President 10.

Nays none
Absent Messrs Cannady. Goulder. and Robie.
so the Bill passed.

H. B. No 16 An act relating ~~to the duties~~ to the duties of Commissioners of Idaho Co was taken up and on motion was indefinitely postponed.

On motion of Mr Hawley Council took a recess until 3 Oclock P. M.

Afternoon Session
3 Oclock P. M.

Council called to order.
President in the chair.
Roll called. all present except Mr Rohrer

At 3-10 P. M. the President announced that he had signed H. B. Nos 4. 26. and 29.

Message from the Governor.

Executive Department
Territory of Idaho.
Boise City Jan 11th/75

To the Council

I have this day the honor to nominate and appoint John Hunton Territorial Treasurer and Joseph Renault Territorial Controller. to which I most respectfully ask the advise and consent of your Honorable body.

T. W. Bennett
Governor.

Message from the Governor.

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed H.B.No 47. An Act concerning rights of way, easements and other necessary means for the development of Mines.

Also H.B.No 66. An Act to empower the Assessor of Cache County to collect certain taxes.

Also H.B.No 83 An Act to regulate the catching of fish in the Counties of Oneida and Bear Lake.

The House has also had under consideration H.B.No 81 An Act compensating J.C. Bernard and rejected the same. all of which is herewith transmitted

J.D. Cahalan
Clerk House of Representatives

Message from the House.

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed H.B.No 23 with certain amendments. to wit- after the word "more" in 5th line and before the word "shall" in 6th line Sec 61. insert "or shall feloniously steal, take, drive, or carry away, any herd of live stock, the property of another"

Also amended by adding an additional Section after Sec. 75. to be numbered 76. and renumbered Sec 76 of the Bill No. 77. and so on through the Bill, and respectfully ask the concurrence of the Council to the amendments. all of which is herewith transmitted

J.D. Cahalan
Clerk. House of Repr-

Messages from the House.

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed H. B. No. 57. An Act to amend an Act entitled "An Act to regulate the collection of Revenue and to provide certain Funds for the County of Owyhee approved Jan 15th A.D. 1869. and respectfully ask the concurrence of the Council thereto. all of which is herewith transmitted.

T. D. Cahalan.
Clerk House of Representatives.

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed as amended H. B. No. 53. An Act concerning District Attorneys for Idaho.

Also had under consideration and passed H. B. No. 32. an Act relating to Divorces

Also H. B. No. 38 an Act to exempt Homestead and other property from forced sale in certain cases.

Also H. B. No. 42. an Act concerning the writ of Habeas Corpus.
all of which is hereunto transmitted.

T. D. Cahalan
Clerk House of Representatives

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed as amended H.B.No 80. an Act to restrain the herding of Sheep, and respectfully ask the concurrence of the Council to the amendment.

Also passed H.B.No 49 an Act relative to contesting Elections of Members of the Legislative Assembly.

Also H.B.No 50. an Act compelling the attendance of Members of the Legislative Assembly of Idaho.

Also H.B.No 22. an Act relative to the Board of County Commissioners and defining their duties and powers

Also have passed H.B.No 64. an Act relating to Elections. all of which is herewith transmitted.

T.O. Callahan
Clerk House of Representatives.

Report of Committees

Mr President.

Your committee to whom was referred H.B.No 84. providing for the compensation of J.M. Sullivan for teaching School in Fairview Owyhee County (such Committee consisting of the Owyhee Delegation) report that they have examined the Bill and the statement and letters accompanying the same and know individually that he taught School at Fairview. and conflicting in the statements of the men we believe he should we would recommend its passage.

Martin
Nugent

Mr President.

The joint committee appointed to revise the Revenue Law have had the same under consideration and have prepared a Bill which is herewith introduced in the Council.

On behalf of the House { T. Campbell
Geo. L. Sharp.
J. H. McCarty

On behalf of the Council John. M. Cannady

Mr President.

Your Committee on Enrolled Bills. beg leave to report that they have examined C. B. No. 75. and Draft Substitute for C. B. No. 73. and find the same correctly Enrolled.

Goulder
Chairman

Mr President.

Your Committee on Territorial Affairs to whom was referred H. B. No. 57. An Act relating to District Attorneys and defining their Districts. beg leave to report the Bill back with the recommendation that it do pass.

Cannady
Chairman

On motion of Mr Hawley the vote by which H. B. No. 43 An Act for the distribution of Arms. was last day reconsidered. the amendment rejected and the Bill laid temporarily on the table.

Mr Hawley introduced the following Resolution

Mr President. I move that a committee be appointed to enquire into the sufficiency of the appropriation for the Controllers Office to meet the expenses of that Office.

Hawley.

The Resolution was adopted and Messrs Hawley. Martin. and Goulder appointed as such special committee.

Introduction of Bills

By unanimous consent of the Council Mr Foote introduced C. B. No. 85. An Act concerning Grand and Petit Jurors. read 1st & 2nd time rules suspended considered Engrossed read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Kennady. Foote. Goulden. Hawley. Howard. Martin. Mc Nally. Prichett. Slatter. Mr President. 12

Nays none. Absent Mr Robie.

So the Bill passed.

By unanimous consent of the Council Mr Martin introduced C. B. No. 86. An Act relating to Mining claims. read 1st and 2nd times rules suspended considered Engrossed read a 3rd time and placed upon its final passage, the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Kennady. Foote. Goulden. Hawley. Howard. Martin. Mc Nally Prichett. Slatter. Mr President. 12.

Nays none. Absent Mr Robie.

So the Bill passed.

By consent of the Council Mr Mountain introduced C.B.No 87. An Act to empower Hon H. C. Pickett to act as commissioner on Code Bills. read 1st & 2nd time rules suspended considered Engrossed read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Hosses Angell. Brown. Kennady Foote. Goulder. Hawley. Howard. Martin McNally. Slatten Mr President. 11
Nays None.
Absent. Messrs Pickett and Robie

By consent of the Council Mr Hawley introduced C.B.No 88. An Act relating to Ada County Judiciary Law. read 1st and 2nd time rules suspended read a 3rd time and placed upon its final passage. the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell, Kennady Foote. Goulder. Hawley. Martin. McNally. Pickett Mr President. 9.
Nays, Messrs Brown. Howard. Slatten. 3.
Absent Mr Robie.
so the Bill passed.

By consent of the Council Mr Hawley introduced C.B.No 89 An Act defining the place of residence of the District Attorney for District No 2. read 1st & 2nd time and referred to Committee on Judiciary.

By consent of the Council Mr Kennedy introduced C.B.No. 90. An Act to provide a uniform system of Territorial and County Revenue. read 1st and 2nd time referred to Special Committee composed of Messrs Howard. Foote. Martin. Goulden. with instruction to report the Bill to the Council by 3 Oclock P.M. for which time the Bill was made special order.

Bill referred.

C.B.No. 66 An Act to empower the Assessor of Dawson County to collect taxes. was taken up and House amendment to the same was concurred in by Council

H.B.No. 50. An Act compelling Members attendance of the Legislative Assembly. was taken up read 1st time 2nd reading objected to and the Bill rejected

H.B.No. 49. An Act relating to contesting Election of Members of the Legislative Assembly. was taken up read 1st and 2nd time and referred to Committee on Elections.

C.B.No. 80 An Act to restrain the herding of Sheep. was taken up and House amendment to the same concurred in. by Council

H.B.No. 47. An Act concerning rights of way and other means for development of Mines. was taken up read 1st and 2nd time and referred to Committee on Mines and Mining

H.B.No. 22. An Act to create the Board of County Commissioners for each County of this Territory. was taken up read 1st and 2nd time and referred to Committee on County and County Boundaries

H. B. No. 57. An Act relating to the collection of Revenue in Cuyahoga County was taken up read 1st and 2nd times and referred to Cuyahoga Delegation.

H. B. No. 23. An Act relating to Crime and punishments was taken up and House amendment concurred in by Council

H. B. No. 63 An Act concerning District Attorneys. was taken up and House amendment concurred in by Council.

H. B. No. 84. An Act for the relief of J. M. Sullivan. was taken up and ordered Engrossed for a 3rd Reading.

H. B. No. 67. An Act relating to District Attorneys and defining their Districts was taken up read 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Cannady. Foote Goulden. Howard. Martin McNally Puckett. Walker. Mr President. 11

Nays none.

Absent Messrs Hawley and Robie.

so the Bill passed.

H. B. No. 1. An Act to establish a Public School system was taken up and made Special order for tomorrow at 10 Oclock.

C. Bills No's 58 and 59. relating to Funding the Debt of Boise Co was laid temporarily on the table.

H.B. No 25, and Substitute relating to the Fees of certain Officers of Ada Co was taken up and the Substitute adopted read 1st and 2nd time and referred to Committee on Finance with instructions to report in the morning.

On Motion of Mr Foote Council adjourned

E. F. Beaty
President of the Council

E. F. Carr
Chief Clerk.

Thirty-Seventh Day

Council Chamber
Boise City Jan 18th/875

Council met pursuant to adjournment
President in the chair Roll called
all present except Messrs Martin. Pinckett
and Robie. Journal of yesterday read and
approved.

Reports of Committees.

Mr President

Your Committee on Elections to
whom was referred H.B. No 49. beg leave to
report the same back without Recommendation

Dorion
Chairman

Mr President

Your Committee on Finance
to whom was referred H.B. No 25. and the
Substitute therefor. for amendments have
performed the duty assigned them and
respectfully report the Bill back to the Council

Hawley
Chairman

Mr President.

Your Committee on Enrolled
Bill would report that they have examined
H. B. No 54 and find the same correctly
Enrolled.

Goulder
Chairman

Mr President.

Your Committee to whom was
referred H. B. No 84. have examined the
same and recommend its passage.

Foote
Chairman

Mr President

Your Committee on Enrolled Bills beg leave to report that they presented the following Bill to the Governor for his Signature at 20 minutes past ten Oclock A.M. Jan 12th A.D. 1875. Viz: 26. 39. 44. 27. 47 34. 35. 25. 46. 24. 49. 33. 37. 41. 45. 43. 40. 29. 54. 75 and 73.

Goulder
Chairman

Mr President.

Your Committee appointed to examine into the Contingent expences of the Controllers Office have performed the duty assigned them and find that the sum allowed at present therefor $250.00 per annum is totaly inadequate to meet the expences of the Office. The lowest amount to which the expences of the Office can be reduced, as we find upon a close examination of the Vouchers filed in the Office $500.00 a year. During the last two years of D. Cramer Term of Office, the contingent expences of the Office has aggregated $2537.14. Your Committee herewith present a Bill that we have prepared placing the amount of the Contingent Fund for the use of the Controllers Office at $600.00 per annum which we reccommend be passed, as it is a great injustice to a faithful and efficient Officer to compel him to pay out of his meagre Salary allowed him, Expenses that should properly be borne by the Territory.

Respfully submitted

Hawley
Knowlton

Mr President

Your special committee to whom was referred the matter concerning Territorial Printing have examined into the same and find that the printing done for 1874 for Controllers Office amounted to $640.00 and that no other amount was paid for any printing for said Office for said year. Concerning the amount as represented by warrant No. 892 for $39.00. We find that $8.00 of said warrant was for advertising proposals for Executive Department for bids on Police Warrants and $16.00 for advertising sealed proposals for Territorial Printing.

We further find that the $15.00 remaining to make the $32.00 was for printing done for 1873.

We further finds, that the Territorial Printing was let by Mr Cram in 1873 to Thomas Donaldson for $790.00 and that when Controller Perkins took the Office there not being sufficient blanks in the Office to meet the demand from the County Governor Bennett authorized and directed the Controller to have the necessary blanks printed which printing amounted to $308.00 and the total cost for 1873 was $1098.00 and that for 1874, was $640.00

We also find that warrant 894 was for printing done for 1873. From a careful survey of the whole case your Committee are satisfied that the present Controller has in no instance expended for printing one cent more than was necessary, or in any manner acted without the warrant of the Law.

Special Committee { Goulder
Slather.

Introduction of Bills

By consent of the Council Mr Stalker ~~Mr Stalker~~ introduced C.B. No. 91. an act to divorce Sarah A. from J. C. Baldwin read 1st & 2nd time rules suspended considered Engrossed read a 3rd time and placed upon its final passage. the question being shall the Bill pass the ayes and nays were called. thus Messrs Bowen. Cannady. Foote. Hawley Martin. Stalker. 6
Wayne Messrs Angell. Howard. McNally. Mr President. 5
Absent Messrs Goulder. Pickett. and Robie. so the Bill passed.

At 10-50 the President announced that he had signed C.B. Nos 54. 73. and 75.

The Report of the Special Committee appointed to examine the Controllers Office with reference to printing was adopted.

By consent of the Council Mr Stanley introduced C.B. No. 92. An Act fixing the Salary of Territorial Controller read 1st and 2nd time and referred to Committee on Territorial Affairs

H.B. No. 1. An Act to establish a Public School System and to provide for the same was taken up read a 3rd time certain amendments thereto adopted and the Bill placed upon its final passage the question being shall the Bill pass the ayes and nays were called.
Ayes Messrs Angell. Bowen. Foote, Goulder. Hawley. Martin. McNally. Pickett. 8.
Nays Messrs Cannady. Howard, Stalker, Mr President 4.
absent Mr Robie so the Bill passed.

On motion of Mr Brown Council took a recess.

Afternoon Session
2 Oclock P. M.

Council called to order.
President in the chair. Roll called all present except Messrs Stanley and Noble.

Message from the Governor.

Executive Department

Boise City Jan 12th 1875

To the Council

I have this day approved No. 75 An Act to authorize the Commissioners of Owyhee County to have transcribed certain records.

Also C. B. No. 29 An Act to provide for the formation of Cantonships

Also C. B. No. 73 An Act to change the name of Pete Alexander.

Also C. B. No. 43. An Act relative to Attorneys and Counsellors at Law.

and Also C. B. No. 25. An Act relating to Bonds Due Bills.

Also C. B. No. 46. An Act in relative to money of account and interest.

Also C. B. No. 24 An Act to prevent Officers from dealing in certain securities

Also C. B. No. 49. An Act for the protection of fish

Also C.B.No. 33. An Act concerning Commissioners of Deeds.

Also C.B.No. 37. An Act relative to Bills of Exchange and Promissory notes.

Also C.B.No. 41. An Act concerning Chattel Mortgages.

Also C.B.No. 45. An Act adopting the Common Law of England.

Also C.B.No. 27. An Act to protect Game.

Also C.B.No. 47. An Act concerning conveyances.

Also C.B.No. 34. An Act regulating Marriage

Also C.B.No. 35 An Act concerning Guardians.

Also C.B.No. 39 An Act concerning Corporations.

Also C.B.No. 26 An Act concerning Roads. Highways. Trails and Thoroughfare.

Also

J. W. Bennett
Governor.

Messages from the House.

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed H.B.No. 57. An Act to regulate proceeding in Criminal Cases in the Courts of Justice of Idaho Territory.

Also H.B.No. 70 An Act to amend an Act to Incorporate Boise City.

Also H.B.No. 74. An Act fixing the Fees and Salaries of certain Officers of Boise Co and indefinitely suspended the same.

Also H.B.No. 86. An Act to amend an an Act relating to Mining Claims and have stricken out the enacting clause there of which is herewith transmitted

T.D. Calhoun
Clerk House of Representatives

Mr President: I am instructed to inform your honorable body that the House have passed the following Bills which are herewith transmitted, and respectfully ask the concurrence of the Council therein.

H.B.No. 54. An Act supplementary to an Act to amend an Act relating to Elections.

Also H.B.No. 63. An Act concerning Toll Roads. Bridges and Ferries in Ada County. The House has also had under consideration Council amendments to H.B.No. 1. and have concurred in all the amendments thereto except the 9th and 18th amendments to which the House respectfully refuse to concur.

T.D. Calhoun
Clerk House of Representatives

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed H.B.No. 87. An Act defining the jurisdiction and practice of the Probate Court of Idaho Territory, in Civil and Criminal Cases.

The House has also passed a Substitute for H.B.No 81. an Act to empower R.J. Johnson W.E. Pickett. and E.J. Eddis to act as Commissioners on revised and Codified Code of Laws passed at the Eight Session of the Idaho Legislature. and respectfully ask the concurrence of the Council thereto. which are Herewith transmitted

I.W. Eahalan
Clerk House of Representatives

Reports of Committees.

Mr President.

Your special Committee to whom was referred H.B.No 90. An Act to provide a uniform system of Territorial and County Revenue. report that have examined the same and recommend its passage. Provided that section 2 sec five relating to the taxation of National Banks be either stricken out or amended so as to conform to the Laws of the United States.

Committee
per Martin

Mr President

Your Special Committee to whom was referred S. B. No. 90 have examined the same and report it back to the Council and recommend its passage. The Joint Committee on Revision have reported the present Revenue Law. with a few important changes which we think are for the better.

Howard } of the
Golden } Committee

Mr President

Your Committee on County and County Boundaries to whom was referred H. B. No. 22. beg leave to report that they have had the same under consideration and recommend its passage.

Kennedy
Chairmen

Bills on 3rd Reading

S. B. No. 89 an Act relating to the residence of District Attorney for District No. 2 was taken up duly examined considered Engrossed read a 3rd time and placed upon its final passage the question being shall this Bill pass the ayes and nays were called.

Ayes Messrs Angel. Brown. Kennedy. Poole Howard. Martin. McNally. Slattery Mr President. 8
Nays Mr Prickett. 1
Excused Mr Golden
Absent Messrs Hawley and Robie.
So the Bill passed.

Mr Pickett introduced H.B. No. 12 relating to the Code Laws which was read & and adopted.

H.B. No. 90. An Act to provide for a uniform system of Territorial and County Revenue was returned from Committee, on the question of striking out the latter part of Section 5 relative to Taxing Shares in National Banks. The question being shall the Section be stricken out they ayes and nays were called

Ayes Messrs Angell, Foote, Maclin, McNally Pickett 5.
Nays Messrs Brown, Kennedy, Hawley, Howard. Hatcher Mr. President. 6
Absent Messrs Goulder and Robie.
so the Section was adopted

On motion of Mr Foote Council adjourned.

E. F. Beaty
President of the Council

E. J. Carr
Chief Clerk.

Thirty eight Day

Council Chamber

Boise City Jan 13th 1875

Council met pursuant to adjournment President in the chair. Roll called all present except Messrs Robie and Martin Journal of yesterday read and approved

Reports of Committees

Mr President. Your Committee on Finance to whom was referred C.B. No. 67. beg leave to report that they examined the Bill and recommend that it be indefinite postponed.

Committee { Hawley Angell

Mr President. Your Committee on Engrossed Bills have examined C.B. No. 84. and find the same correctly Engrossed.

Howard Chairman

Mr President Your Committee on Enrolled Bills beg leave to report that they find correctly Enrolled C.B.'s No.'s 53-42-80-83-70-30-28-48-32-38 and 66

Goulder Chairman

Mr President Your committee to whom was referred H.B. No. 12 have examined the same and recommend its passage

Fitts Chairman

Mr President

Your Committee to whom was referred H.B.No 92 An Act fixing the Salary of the Territorial Controller would report that they have examined the Bill. as the provisions of the same appears to be and reasonable would recommend its passage.

Kennedy
Chairman

Mr President

Your Special Committee to whom was referred H.B.No 52 An Act in relation to Public Officers, would report recommend the indefinite postponement.

Of the Committee { Howard
Hawley
Brents

Introduction of Bills.

By consent of the Council. Mr Howard introduced H.B.No 93. An Act extending the time for collecting Taxes in Idaho and Nez Perce Counties. read 1st and 2nd time and laid temporarily on the table.

Messages from the House

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed

H.B.No 58 An Act for the better protection of Invalids.

Also H.B. No. 62 An Act relating to the mileage of Sheriff in Owyhee County in Criminal Cases.

Also H.B. No. 64 An Act amendatory and supplementary to an Act entitled An Act Concerning Roads. Toads. &c approved January 10th 1873.

Also H.B. No. 65 An Act in relative to Toll Bridge in Ada County and respectfully ask the concurrence of the Council thereto. all of which is herewith transmitted

T. D. Cahalan
Clerk House of Representatives

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed

C.B. No. 71. An Act to change the name of Carl Johan Bream Skow to Charles Wilson

Also C.B. No. 85 An Act entitled An Act concerning Grand and Petit Jurors.

Also adopted C.C.R. No. 12 relating to Code Bills.
which are herewith transmitted

T. D. Cahalan
Clerk House of Representatives.

Bills on 3rd reading

C. B. No. 67 An Act relating to the collection of revenue in Ogden County was returned from the Committee and on their recommendation was indefinitely postponed.

C. B. No. 52. An Act relating to Public Offices was returned from Committee and on their recommendation was indefinitely postponed.

Mr Keasley moved that the Council go into Executive Session tomorrow afternoon at 2 Oclock to take under consideration the Governors Message relating to the appointments.

Motion prevailed and so ordered.

C. B. No. 90 An Act to provide for a uniform system of Territorial and County Revenue; was taken up rules suspended considered Engrossed read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Cannady. Goodacre. Keasley. Kinyard. Stafford. Mr President. 8.

Nays Messrs Foote, Martin. McNally Pickett 4 absent Mr Robie.

So the Bill passed

On motion of Mr Hawley H.C.R.No. 1 relating to the distribution of Arms was taken up read a 3rd time and placed upon its final passage the question being shall the Resolution pass the ayes and nays were called.

Ayes Angell, Kennady, Foote, Hawley, Martin, McNally, Slaterf. 7.

Nays Messrs Borum, Goulder, Howard, Pickett, Mr President. 5

Absent Mr Robie.

So the Resolution passed

On motion of Mr Hawley H.B.No. 42. An Act to provide for the care and management of Arms &c was taken up read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell, Kennady, Goulder, Hawley, Howard, Martin, McNally, Pickett Slaterf, Mr President. 10.

Nays Messrs Borum, Foote. 2

Absent Mr Robie

So the Bill passed.

H.B. No. 25 An Act fixing the Fees and Salaries of certain Officers Ada County together with the Substitute offered by the Finance Committee was taken up on motion the H.B. was indefinitely postponed and the Substitute adopted which was read a 1st and 2nd time rules suspended concidered Engrossed read a 3rd time and placed upon its final passage the question being shall the Substitute pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Cannady.
Golden. Hawley. Howard. Martin. McNally
Puckett. Stalker Pres. 11.
Nays Mr Foote.
Absent Mr Robie.

So the Bill passed.

H.B.No 12. An Act to aid in construction of Telegraph lines in Idaho Territory was taken up and on motion of Mr Hawley was made the special order for this Evening at 7 Oclock.

On motion of Mr Hawley Council resolved itself into Committee of the Whole to take under consideration H.B.No 22. An Act relating to Commissioners.

Mr Hawley in the chair.

The Committee arose reported progress and ask leave to sit again.

On motion of Mr Cannady Council took a recess until 2 Oclock.

Afternoon Session
2 Oclock P. M.

Council called to order. President in the Chair. Roll called all present except Mess Foote, Pricket and Robie.

Reports of Committee.

Mr President. Your Special Committee to whom was referred H. B. No. 57. ~~Am of Ad~~ beg leave to report that they have carefully examined the Bill and believe that in many respects if it becomes a Law. would be detrimental to the Financial interests of Dryhee County. we therefor recommend the indefinite postponement of the Bill. and that the accompanying Substitute be adopted and passed.

Committee { Wardin
Angell

Mr President. The committee to whom was referred H. B. No 50. have had the same under consideration and herewith report the same back with certain amendments and recommend that the Bill be amended in accordance therewith and then passed.

Pricket
Per. Committee

Mr President. Your Committee on Enrolled Bills would report that they find correctly Enrolled H. B. Nos 85. and 77.

Goulder
Chairman

Mr President

Your Committee on Enrolled Bills would report that they presented C. Bill No. 71-85-53. to the Governor for his signature at 15 minutes to 4 Oclock P.M. January 13th 1875.

Goulder
Chairman.

Mr President Your Committee on Enrolled Bills beg leave to report that the presented C.B.s No.s 42-80-83-70-30-28-48-82 and 66 to the Governor for his signature Jan 13th 1875 at half past 10 Oclock A.M.

Goulder
Chairman

Message from the Governor

Executive Department
Territory of Idaho
Boise City January 13th 1875.

To the Council

I have this day approved C.B. No. 70 An Act to amend and Act to Incorporate Boise City.

Also C.B. No. 83 An Act relative to catching fish in the Counties of Oneida and Bear Lake.

Also C.B. No. 82. An Act regulating Divorces.

Also C.B. No. 48. An Act concerning County Sheriffs.

Also C.B. No. 28 An Act defining the time of commencing civil actions

Also C.B. No 30. An Act relative to County Auditor and Recorder.

Also C.B. No 42. An Act concerning the writ of Habeas Corpus.

Also C.B. No 66. An Act entitled An Act to empower the Assessor of Owyhee County to collect taxes in certain cases.

T. H. Bennett
Governor.

At 2-15 P.M. the President announced that he had signed C. Bills No's 42-80 83-70-30-28-48-32-38-66-85-71-57 and 60.

Mr Goulder introduced C.C.R. No 13. relating to the distribution of Arms. which was read and adopted

Bills on 3rd reading

H.B. No 57. relating to the collection of Revenue in Owyhee County. Together with the Substitute therefor was taken up and the Substitute adopted. which was read a 1st and 2nd time rules suspended read considered Engrossed read a 3rd time and placed upon its final passage the question being shall the Substitute pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Cannady Hale. Hawley. Howard. Martin. McNally. Stalker and Mr President. 10

Nays Mr Goulder 1

Absent Messrs Brickett and Robie.

So the Substitute passed

On motion of Mr Hawley the Council resolved itself into Committee of the Whole to take under consideration H. B. No. 22. An Act Relative to County Commissioners Mr Hawley in the chair. Committee arose reported the Bill back with amendments and recommend its passage as amended.

The Bill read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Cannady. Foote. Goulder. Hawley. Howard. Hunting. Pricketo. Stalker. Mr President. 11.

Nays none.

Absent Messrs McNally and Orbi.

So the Bill passed.

H. B. No. 49. An Act relating to contesting Elections of Members of the Legislative Assembly. was taken up and on motion of Mr Brown was indefinitely postponed.

H. B. No. 1 An Act to establish a Public School System. was taken up and the Council resisted upon their amendment thereto.

C. B. No. 92. An Act fixing the Fees and Salary of Territorial Controller was taken up duly suspended considered Engrossed read a 3rd time and placed upon its final passage. the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Foote. Goulder. Hawley. Pricketo. Stalker. Mr President. 8.

Nays Woodward.

Absent Messrs Cannady. Martin. McNally. and Orbi.

So the Bill passed.

H. B. No. 61. An Act relating to the Probate practice. was taken up read a 1st and 2nd time and referred to Committee on Judiciary.

H. Substitute for H. B. No. 81 relating to the appointment of a Commission on Revised Laws. was taken up read a 1st & 2nd time Rules suspended read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Kennedy Golden. Handley. Howard. Martin. McNally Slatter. Mr President. 10.

Nays none.

Absent Messrs Foote. Pickett. and Robin.

So the Bill passed.

H. B. No. 54. An Act relating to Elections was taken up read 1st time and rejected

H. B. No. 63. An Act concerning Roads. Bridges and Ferries was taken up read 1st and 2nd time and referred to Rds & Delegation.

H. B. No. 58. An Act for the better protection of Invalids was taken up read a 1st time and rejected.

H. B. No. 64. An Act concerning Roads. Trails &c was taken up read 1st and 2nd times and on motion of Mr Pickett was indefinitely postponed.

H.B.No 62. An Act relating to Mileage of Sheriffs in Ouyhee County. was taken up read a 1st 2nd time rules suspended read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Kennedy. Foote. Goulder. Hawley. Howard. Martin. McNally. Pickett. Slaker & Mr President. 12.
Nays none.
Absent Mr Robie.
So the Bill passed.

H.B.No 84. An Act for the relief of P.M. Sullivan. was taken up read 3rd time and placed upon its final passage. the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Kennedy. Goulder. Hawley. Howard. Martin. McNally. Slaker. Mr President. 10
Nays Messrs Foote and Pickett 2
Absent Mr Robie.
So the Bill passed.

H.B.No 57. An Act relating to the collection of Revenue in Ouyhee County was taken up and on Motion of Mr Martin was indefinitely postponed.

H.B.No 93. An Act extending the time of collecting taxes in Idaho and Nez Perce counties was taken up rules suspended considered engrossed read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.
Ayes Messrs Angell. Brown. Kennedy. Goulder. Hawley. Howard. Martin. McNally. Pickett Slaker. Mr President. 12. Nays none. absent Mr Robie
So the Bill passed

By consent of the Council Mr Packett introduced C.B.No XX.96. An Act to compensate Alonzo Smith. read 1st and 2nd time and referred to Committee on Finance.

C.B.No 50. An Act to regulate proceedings in Civil Cases and taken up and certain amendments thereto adopted rules suspended considered Engrossed read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Bourn. Kennedy. Foote. Goulder. Handley. Howard. Martin. McNally. Packett. Slaffer. Mr President 12.

Nays none.

Absent. Mr Robie.

So the Bill passed

On motion of Mr Kennedy Council took a recess until 7 Oclock this evening

Evening Session
7 Oclock P.M.

Council called to order.

President in the chair. Roll called all present except Messrs Pickett and Robie.

Mr Foote moved that a call of the House be made. the roll was called all present except Messrs Pickett and Robie.

Mr Pickett appeared at the bar and was admitted.

Mr Hawley moved that further call of the House be dispensed with

Messages from the House.

Mr President; I am instructed to inform Your honorable body that the House have had under consideration. Council amendments to H.B. No. 1. An Act relating to Common Schools. and refuse to recede from their non-concurrence to said amendments and Respectfully ask for a conference committee from this Council to confer with a like committee from the House in relation to said amendments. and the House has appointed Messrs C.R. White. Moore. and Sharp as such committee on part of the House.

The House has also had under consideration and passed as amended C.B. No. 99. An Act to provide a uniform system of Territorial and County Revenue. the said amendment consists in the adoption of a proviso to Sec 101. which is herewith transmitted and respectfully ask the Council concurrence thereto.

J. S. Cahalan.
Clerk House of Representatives.

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed as amended H.B.No.89 An Act defining the place of residence of the District Attorney of District No. 2.

Also had under consideration H.C.No.13 relating to distribution of Arms &c and refused to adopt the same.

Also passed H.No. 32 An Act concerning Toll Roads.

Also H.B.No.43, An Act authorizing the County Commissioners of Ada County to construct a bridge over said County.

Also H.B.No.56, An Act to amend an Act entitled An Act for the better observence of the Sabbath Day approved January 18th 1873 and respectfully ask the concurrence of this Council thereto. which is herewith transmitted,

T.D. Cahalan
Clerk House of Representatives

The President called Mr Howard to the chair.

H.B.No.12 An Act to aid in the construction of Telegraph lines in Idaho Territory, having been made the special order was taken up and read for Information. Mr Angell offered a remonstrance and petition!
On motion of Mr Toole the reading of all remonstrances and petitions was dispensed with

On motion Mr Hawley was excused from voting.

Mr Hawley presented the following excuse.

Mr. President I sincerely request that the Council ~~from voting~~ excuse me upon this question for the following reasons I am opposed to granting Subsidies by this Territory to any Corporation for any purpose whatever. and in my humble judgment we have not the legal right so to do. but the People of the County I in fact represent have almost unanimously asked for the passage of this Bill. The heavy taxpayers of that County have all petitioned for it and instructed myself and colleagues to assist by all honorable means its passage through this Legislature. and I am certain that the measure would be of almost incalculable benefit to that County. In view of this I would waive my private sentiments and vote under their instructions but there seems to be considerable opposition to the measure in sections of Ada County also affected by its passage and Gentlemen from other Counties think that the proper law might ultimately become a burden upon this Territory instead of the Counties named in the Bill. I cannot therefore consistently waive my objection and vote in favor of a Bill which might however remote the chance for a tax upon sections that would not receive the benefit thereof. I am therefor Mr President in this unfortunate dilemma! I shall either be compelled to vote against my own conviction of right and duty or I shall be compelled to vote on what they consider a measure against the expressed desire and instruction of a very large majority of my constituents. I therefor respectfully ask that I be excused from voting upon this measure.

James H. Hawley

Mr Foote moved to read the Bill the 3rd time.

Mr Beatty moved its indefinite postponement, on which the ayes & nays were called, the question being on the indefinite postponement of the Bill.

Ayes Messrs Cannady, Goulden, Howard, Slaker, Mr President. 5.

Nays Messrs Angell, Brown, Foote, Martin, McNally, Pricketts, 6. Hawley excused

So the motion was lost.

Mr Cannady offered an amendment which was rejected.

Mr Cannady moved to adjourn on which the ayes and nays were called with the following result.

Ayes Cannady, Goulden, Howard, Slaker Mr President. 5

Nays. Messrs Angell, Brown, Foote Martin, McNally, Pricketts, 6.
Mr Hawley, excused, absent Mr Robie.

So the motion was lost.

Mr Beatty offered an amendment to the Bill which was ruled out of order, an appeal from the Chair having been made the ayes and nays were called.

Ayes Messrs Angell, Brown, Foote, Martin, McNally, Pricketts, 6

Nays Messrs Cannady, Goulden, Slaker, Mr President, 4

Excused Messrs Stanley, Howard,

absent Mr Robie. So the decision of the Chair was sustained

Mr Beatty moved to adjourn on which the ayes and nays were called.

Ayes Messrs Cannady. Goulden. Howard Stalker. Mr President. 5.

Nays Messrs Angell. Brown. Foote. Martin McNally. Pickett. 6.

Excused Mr Hawley.

Absent Mr Robie.

So the motion to adjourn was lost.

Mr Foote moved that the Bill be read a 3rd time and placed upon its final passage.

Mr Beatty moved to lay Mr Foote's motion on the table. on which the ayes and nays were called.

Ayes Messrs Cannady. Goulden. Howard Stalker. Mr President. 5.

Nays Messrs Angell. Brown. Foote. Martin McNally. Pickett. 6.

Hawley excused

Absent Mr Robie.

So the motion was lost.

Mr Foote called for previous question on which the ayes and nays were called.

Ayes Angell. Brown. Foote. Martin. McNally. Pickett. 6.

Nays Messrs Cannady. Goulden. Howard. Stalker. 4

Hawley excused. Mr President not voting

Absent Mr Robie.

So the motion for previous question carried.

Mr Foote moved that the Bill be read a 3rd time by title and placed upon its final passage. The Bill was then read a 3rd time and placed upon its final passage. The question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Foote. Martin. McNally, Pickett. and Mr President. 7.

Nays Messrs Cannady. Goulden. Howard. Slatkin. 4.

Hawley excused. Absent Mr Robie.

So the Bill passed.

Mr Beatty moved to adjourn on which the ayes and nays were called

Ayes Messrs Goulden. Howard. Slatkin. Mr President. 4.

Hawley excused. Nays Messrs Angell Brown Cannady. Foote. Martin. McNally. Pickett. 7 so the motion was lost.

Mr Beatty gave notice that he would on tomorrow move a reconsideration of the vote by which Bill passed.

The Chairman announced that there being no amendments to the title of H.B. No. 1. the title would stand approved.

On motion of Mr Foote Council adjourned until 10 Oclock tomorrow.

E F Beatty
President of the Council

E. F. Carr
Chief Clerk

Thirty ninth Day.

Council Chamber
Boise City I.T.
January 14th 1875

Council met pursuant to adjournment President in the chair. Roll called all present except Mr Rohrer.

Journal of yesterday read and approved.

Reports of Committees

Mr President!

Your Committee on Finance have had under consideration C.B. No. 96 An Act to compensate Thomas Smith for legal services rendered the Territory.

Mr Smith rendered services to the Territory for which he should be paid. but the value of those services we are unable to determine and recommend that the Bill be passed with such amendment, as to the amount of compensation as the Council may think just and proper.

Committee { Hawley Angell Brown

Mr President.

The Judiciary committee to whom was referred H.B. No. 61. herewith returns the same back with certain amendments which they recommend be adopted and the Bill then passed.

Toole
Chairman

Message from the Governor.

Executive Department

Territory of Idaho

Boise City January 13th 1875.

To the honorable Council

I herewith return to your honorable body Council Bill No. 54. without my approval and with my objections thereto.

This Bill was originally one of the series of the revision known as the "Code" and as introduced into the Council, was in my opinion as well guarded, and most excellent Bill but was amended in several particulars rendering it as I believe impracticable, insufficient and unintelligible.

Section 28 of the Act provides for a canvass of votes by the Board of County Commissioners, and requires that an abstract of the votes cast for Delegate to Congress and for District Attorney shall be made out and transmitted on the same sheet the old Law wisely provided for seperate sheets, and the reason is obvious.

The object of such seperate abstracts is that in case of a contest of the Office of Delegate in Congress, the Original abstract of the vote may forwarded to the House of Representatives in Congress, in case it is so required, while in case of a contest of the Office of District Attorney the abstract of the vote may be forwarded to the Court trying the case is required. If both abstracts are on the same sheet one of them instands might be deprived of the use of the document as it could not be at both places at the same time. It may be said that certified Copies may be given. I answer that these contests very often turn upon the genuineness of the document itself and one inspection of the original be would be required.

And further as I shall hereinafter point out the Bill makes no provision for any person or officer whatever to have the custody of Election returns or to give certified copies thereof. Section 29. requires that the returns shall be by the Clerk of the Board of County Commissioners. forwarded to the Speaker of the House of Representatives must be met.

The section does not disclose whether to the House of Representatives of the Legislature of the Territory of Idaho. or to the House of Representatives in Congress but as the envelope is to be directed to Boise City. it is fairly presumable that the former is meant. There being no Speaker of the House of Representatives next to meet

in existence at the time of such Election or at the time of the forwarding of such returns the documents will in the course of time business be advertised and possible forwarded to the "dead letter office" where they will be opened examined and returned to the county where they were made. I suppose however the Speaker of the House of Representatives that is to be, receive the returns the Secretary provides that they are to be opened and canvassed by the Speaker of the House of Representatives and the President of the Council in joint convention of the two Houses, No penalty is attached for any dereliction of duty of the Legislative Assembly in failing to hold such joint convention or of the said Officers of the respective Houses.

In failing to perform the duty
required of them neither indeed
could such a penalty be enforced.
And neither the Legislative Assembly
nor its Officers could be reached by a
proceeding in Mandamus to inforce
the duty for it is provided both in Ca-
linedtary

and in Common Law
that members of such bodies are
not answerable to civil process
during the session. It is provided
that in case of a special election
occasioned by a tie vote for Delegate
in Congress. a new election shall
be held. and the returns thereof
be directed to the Speaker of the
House of Representatives. and in case
either the Speaker of the House of

Representatives or the President of the
Council or both shall be dead or absent
the Probate Judge of the County shall
in the presence of the Secretary Controller
open and canvass the votes. Thus it will
be seen that one officer alone and he
an Officer of one county, alone is under
this Bill in certain contingencies:
entrusted entrusted the with high power
of canvassing the votes of all the Counties
in the Territory. The section fails to autor-
ize this august Officer to certify the result
of his canvass to any Officer that a cer-
tificate may be issued in case such
Probate Judge canvass the returns it
is provided that the Speaker of the House
of Representatives and the President of
the Council shall certify the same
to the Governor and as in such case such
Speaker of the House and President

of the Council. are by the provisions of the Bill supposed to be dead or absent. I am at a loss to percieve just how the result of the canvass made by his Honor the Probate Judge of the County of Ada can ever reach the Executive Office. All of the mentioned provisions relate to general elections and a special election held in case of a tie vote and are based upon the idea of the Legislative Assembly being in Session. only providing for the contingency of the death or absence of the presiding officer But there is no provision whatever in the Bill for holding returning and canvassing of special elections. to fill vacancies occasioned by the death or resignation of a Delegate in Congress.

The Laws of Congress provides that in such an emergency. the Governor shall by proclamation call a special election to fill such vacancies. It is accordingly possible for such a contingency to happen when the Legislative Assembly is not in Session. In such case how are the votes to be returned and canvassed certainly not canvassed by the Speaker of the House, and the President of the Council. for the Bill only authorizes them to do so in the presence of the two Houses in joint convention. Certainly not by the Probate Judge of the county of Ada for the Bill provides that in all cases the returns shall be directed to the Speaker of the House of Representatives, and of course this

Honor of the County of Ada could never get them. and if he could he is only authorized to make the canvass in case of a tie vote then only in case of the death or absence of the two Officers of the Legislative Assembly. And in case he could make the canvass he has no authority to certify the same that duty being by the Bill devolved solely upon the Legislative officers aforesaid.

I can only conceive of one road out of the dilemma and that by the calling of an extra Session of the Legislative Assembly. that their officers could canvass the vote. or die absent themselves so that the Probate Judge of the County of Ada could inherit

the high prerogative. and then come to life again long enough to certify the canvass of his honor to the Governor of the Territory. After the canvass is made of a general or special election the Bill make no provision whatever for the presentation and custody of the election returns. but leaves them on the desk of the Speaker of the House of Representatives or in the hat of his honor the Judge of the Probate Court of the County of Ada. No provision is made for any Officer to have authority to give certified copies of such returns in case of contest and no officer could do so without authority nor unless he had the custody of such returns. In section 35 it is provided that the term of all offices

Elected under this act shall begin on the first Monday of January next ensuing their election except Commissioner and Members of the Assembly. A Delegate in Congress being an Officer elected under this Act and not excepted it will be seen that the term of such Officer is required to begin on the first Monday of January. instead of on the 4th of March as fixed by Act of Congress thus raising a conflict of Jurisdiction in the determination of which I fear the precedents will be against us. The exceptions made in this Section are in the language of the Councilmen and members of the Assembly. by the provisions of the Original Act of this Legislative Territory. or member of the

Council is as much a member of the Assembly as is a member of the House of Representatives. both Houses being required to constitute the Assembly.

So that the section is obtuse, confused and unintelligible. It is true that the people and the Courts might guess at the meaning of many sections of this Bill with tolerable certainty. but I submit that the people and the Courts expect this Legislature assembly to abolish the system of guessing at the meaning of our Laws which has so long annoyed them...

The amendments to this Bill are full of errors of "Orthography". Syntax and Prosody. It is true that section 37 of the Bill provides that the Judges of elections shall disregard misspelling and clerical errors

but I believe we have no law requiring the Judges of our Courts to furnish a meaning to such words as w-h-e-r-f-i-e-d and a-f-f-i-d-a-v-i-d in Section 38 and such words as f-r-o-g-e-l-a-n-t and f-o-a-u-g-u-l-e-m-t in Sections 47 and 50. in section 48 some offence at elections was doubtless intended to be defined in the language "or shall attempt more than once at the same election shall on conviction &c. The author of this section leaves us in doubt whether such attempt consists of an attempt to vote, to drink, to fight or to do somethin equally vile thing.

In section 28 an attempt is made to provide for a county board of canvassers in case of the failure of the County

...

...

Commissioners to attend.

The provision reads - the Clerk of the Board of Commissioners shall be to his assistance &c leaving the rest upon which the whole star of said Clerk is based to be guessed at and supplied to suit his taste.

The Bill contains a glossary or synopsis of the subject matter of each section of the Bill. and this glossary following the enacting clause becomes a part of the Bill.

The glossary was made to fit the Bill as originally introduced into the Council by the Code Committee but the Bill was afterwards amended by changing many sections and by the addition of several new ones without any

corresponding amendments to the glossary. as that now there is no correspondence. but a direct conflict between the Bill and its glossary Take for instance section 30 the glossary says that the subject matter of that section is the returns to be forwarded to the Secretary of the Territory. while neither that section in the Bill nor any other section contains any such provision but the section is upon an other and intirely different subject.

As the Bill now stands the glossary contains 46 and the Bill 52 Sections.

Again there is no proper title to the Bill. By all Parliamentary and constitutional rules. with which I am familiar. all Bills should be entitled. "An Act" for some

purpose or other.

At the head of this document stands the simple words "Relative to Elections" without disclosing whether it is intended for an Act a ~~Constitutional~~ Memorial or a Joint Resolution. It may be said that a Bill is pending for the appointment of a Commissioner to correct certain errors.

Such a Commissioner could have no power to change the Bill and beside the Bill authorizing such a commission is not yet a Law and may not become such.

The amendments to the Bill contain many other errors of a minor character and all these errors and blunders are all the more to be regretted because of the valuable and disinterested assistance rendered the Enrolling Clerk

by several eminent persons. not members of the Legislative Assembly.

I submit therefore that inasmuch as this Legislative Assembly has withreach commendable zeal undertaken the great work of revising the Laws of this Territory. so that all our Legislative enactments may be shorn of that uncertainty and confusion which has so long confounded the people and vexed the Courts. It would be consistent and proper to correct the many errors in this Bill and by substituting for the uncertain and imperfect machinery of the Bill. some plain and availing provisions such as now in the Bill as it went to the Council.

Provision should be made both for general and special elections and for a canvass of the votes of such elections. The duty should be devolved upon officers who are at all times in readiness to perform those duties. and not upon those who are in Office but forty days in two years nor upon one single county.

And suggest that it is of the highest importance that some officer should be entrusted with the care and custody of election returns. after they have been canvassed. and such officer should be one authorized. to grant certified copies thereof. under the seal of the Sending in cases of contest.

Believing that many of these amendments crept into the Bill without the knowledge or sanction of the able Committee on the Revision of the Laws and were passed as many of the Code Bills are necessarily passed without due examination by the Members.

I deem it my duty to respectfully return the Bill to the House whence it originated with my objections thereto. to the end that a Law so important as one regulating the Sovereign franchise of a free people may not fail of a due consideration at the hands of their Representatives.

J. W. Bennett

Governor

The Governors Veto to C.B.No. 54. An Act relating to Elections. was taken up Mr Foote moved a call of the House. Roll called all present except Messr Angell and Robie. Mr Angell appeared and further call dispensed with.

The question being shall the Bill pass notwithstanding the Governors dis-approval on which the Ayes and nays were called.

Ayes Messrs Bonin. Kennedy. Goulden. Hawley Howard. 5.

Nays Messrs Angell, Foote. Martin, McNally. Prickett. Slatter Mer President. 7.

absent. Mer Robie.

So the Bill failed to pass.

On motion of Mr Howard the Governors Message. dis-approving C.B.No. 54. An Act relating to Elections was ordered spread at-large on the Journal.

Mr Hawley moved the following

Mr President. I move that the committee on Priviledge and Election be instructed to report a Bill to this Council. amending the Election Law by taking the power to canvass the vote for Delegate to Congress and District Attorneys from the Secretary of the Territory and Marshals and placing it in either Territorial or County Officers.

Hawley.

The motion was adopted.

Bills Introduced

By consent of the Council Mr Angell introduced
C.B.No 97. An Act relating to taxes on
Ferries and toll Bridges, read a 1st & 2nd
time and refered to Committee on County
Boundaries.

C.B. No 89. An Act defining
the place of Residence of District Attorney
for District No 2. was taken up and
House amendment thereto adopted.

Bills on 3rd Reading

C.B.No 90. An Act relating to the Territorial
and County Revenue was taken up the question
on concurring in House Amendment thereto
the ayes and nays were called.

Ayes Messrs Brown. Cannady. Goulder. Henard
Stokes. Mr President. 6.

Nays Messrs Angell.
Foote. Hawley. Martin. McNally. Pickett. 6.

So the Council refuse to concur.

Bills referred

H.B.No 45 An Act relating to the building
of a Bridge in Ormsby County was taken
up and referred to Ormsby Delegation.

H.B. No 32. An Act concerning Toll roads
was taken up and referred to Committee
on Incorporation.

The President announced
that he had appointed Messrs Cannady Brown.
and Angell a Committee to confer with a
like Committee from this House in relation
to H.B. No 1, An act to establish a
Common School

Bills on 3rd reading.

H.B.No. 61. The Probate practice Act was returned from Committee with amendments which were adopted. The Bill read a 3rd time and placed upon its final passage. The question being shall the Bill pass. The ayes and nays were called.

Ayes Messrs Angell. Brown. Kennedy. Goulden Moseley. Howard. Martin. McNulty. Pricket Slaker. Mr President. 12

Nays none.

Absent Mr Robie.

So the Bill passed.

H.B.No. 49. An Act concerning rights of way for the development of Mines. Was taken up read a 3rd time and placed upon its final passage the question being shall the Bill pass. The ayes and nays were called.

Ayes none.

Nays Messrs Angell. Brown. Kennedy. Goulden Moseley. Howard. Martin. McNulty. Pricket Slaker. Mr President. 12

Absent Mr Robie.

So the Bill failed to pass

H.B.No. 56 An Act relating to the observance of the Sabbath day. Was taken up read a 3rd time and placed upon its final passage the question being shall the Bill pass. The ayes and nays were called.

Ayes Messrs Angell. Kennedy. Foote. Goulden. Martin. McNulty. Pricket. Mr President. 8

Nays Messrs Brown. Moseley. Howard. Slaker. 4.

Absent Mr Robie.

So the Bill passed.

At 11-40 A.M. the President announced that he had signed H. B.s Nos 40 and 42.

On motion of Mr Foote Council took a recess until 2 Oclock.

Afternoon Session
2 Oclock P. M.

Council called to order.
President in the Chair. Roll call all present except Mr Rubie.

Reports of Committees.

Mr President.

Your Committee on Enrolled Bills beg leave to report that they find S.B.s Nos 89-23 and 51 correctly Enrolled.

Goudge
Chairman.

Mr President.

Your Committee on Counties and County Boundaries. to whom was referred S.B. No 97 beg leave to report that they have carefully examined said Bill and recommend its passage.

Canady.
Chairman.

Messages from the House.

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed. C.B. No. 95. relating to certain Funds in Ouyhee County.

Also C.B. No. 94 relating to the Fees and Salaries of certain Officers in Ada County.

Also had under consideration and rejected the same C.B. No. 84. for the relief of P.M. Sullivan.

Also C.B. No. 92. An Act fixing the Salary of the Territorial Controller. and rejected the same.

The House has also had under consideration and passed H.B. No. 67. An Act fixing the Fees for recording Quartz Claims in Owyhee County. and respfully ask the concurrence of the Council thereto. which is herewith transmitted.

T. A. Cahalan
Clerk House of Reps.

Mr President: I am instructed to inform your honorable body that the House have had under consideration. H.B. No. 22. and have concurred in Council amendments thereto.

Also that the House have had under consideration C.B. No. 90. and have receeded from its amendment to Section 101.

T. A. Cahalan
Clerk House of Representatives

Mr President: I am instructed to inform your honorable body that the House have had under consideration C.B. No. 50. An Act to regulate proceedings in Civil Cases in Courts of Justice in Dawson Territory.

which is herewith transmitted

F. O. Cahalan.
Chief Clerk House of Representatives.

At 2-45 P.M. the President signed H.B No 56 and C.B.'s No.'s 23-89 and 51.

Council resolved itself into Committee of the Whole. Mr Boston in the chair. C.B. No. 96. An Act to compensate Alonzo Smith. Committee arose and reported the Bill back to the Council. Recommending the enacting clause be stricken out. Report adopted and the enacting clause stricken out.

On motion of Mr Foote Council adjourned until 10 Oclock tomorrow.

E. T. Carr
Chief Clerk.

E. J. Beatty
President of the Council

Fortieth Day.

Council Chamber
Boise City I. T.
January 15th 1875

Council met pursuant to adjournment
President in the Chair.
Roll called all present except Messrs
Foote, Goulder, Manly, McNally and Robie
Journal of last read & dispensed with

Reports of Committees

Mr President.

The undersigned to whom was referred H. B. No. 63. have with the return the same with the recommendation that it be indefinitely postponed, because the powers thereof proposed to be conferred on the Commissioners of Ada County are already possessed under and by virtue of existing general Laws.

Pickett.

Mr President.

Your Committee on Enrolled Bill. beg leave to report that they presented to H. B.s Nos 57-89-23- to the Governor for his signature at 3 Oclock P. M. January 14th 1875

Goulder
Chairman

Mr President

The Territorial Committee to whom was referred H. B. No. 66. to provide for the keeping up and maintaining the Territorial School Library. report that in their opinion the same ought to pass.

Martin

Mr President.

Your Committee appointed on Conference on H.B. No 1 have had the same under consideration and beg leave to report as follows: amend by striking out the word first in the first line of the printed bill the word Monday in April in the place of September. That the House concur in Council amendment in Title & Section 1 and that the Council recedes from their amendment in Title 10 Sec 4 as far as it relates to the Counties of Boise and Owyhee but amend by inserting the word Lemhi County.

On behalf of the House { C. R. White
Geo. L. Shoup
E. H. Moore.

On behalf of the Council. { John W. Cannady
L. L. Boom

Mr President.

Your Committee on Enrolled Bills beg leave to report that they ~~examined~~ find H.B. No. 50 - 90 - and 95. Correctly Enrolled.

Goulder
Chairman

Mr President

Your Committee on Enrolled Incorporations to whom was referred H.B. No. 66 An Act in relation to Toll Bridges in Ada County beg leave to report. That We find we can see no good reason why the Legislature should regulate tolls on particular Roads, Bridges or Ferries. when the power so to do is by statute vested in the Board of County Commissioners of the County wherein they are situated. and in our opinion the County Commissioners are far better Judges of the requirements of this respective Counties than is the Legislative Assembly. we therefor recommend that Bill be rejected the same remarks equally apply to H.B. No. 82. An Act concerning the Roads in Boise County and we recommend the same cannot be adopted.

Stalker,
Chairman.

Mr President.

The undersigned to whom was referred H.B. No. 43 herewith returns the same with the recommendation that the word "January" in Section 1 be changed to April. and that the Bill be then passed

Pickett

Messages from the Governor.

Executive Department
Territory of Idaho
Boise City Jan 14th 1875

To the Council

I have this day approved C.B.No 43. An Act concerning Crimes and punishments.

Also C.B.No 51 An Act regulating proceeding in Criminal Cases.

T. W. Bennett
Governor

Executive Department
Territory of Idaho
Boise City Jan 15th 1875

To the Council

I have the honor to nominate and appoint Joseph L. Ricks. Johnathan Pilgrim and Ed Austin as County Commissioners of the County of Boise Lake, under the provisions of the Act organizing said County.
To which I respectfully ask your advice and consent.

T. W. Bennett
Governor

Executive Department
Territory of Idaho
Boise City Jan 14th 1875

To the Council.

I have this day approved C.B.No 71 An Act to change the name of Carl Johan Boeam Skeb

Also C.B.No 80. An Act to restrain the herding of Sheep.

Also C.B.No 44. An Act concerning Coroners and Constable.

Also C.B.No 40. An Act concerning County Treasurer.

Also C.B.No 85 An Act to amend an Act concerning Grand and Petit Jurors.

Also C.B.No 63 An Act concerning District Attorneys.

J. W. Bennett
Governor

Messages from the House

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed.

H.B.No 64. An Act to provide for the keeping up and maintaining the Territorial Law Library.

Also H.B.No 69. An Act to repeal certain Acts in relation to Assessor in Ada County

Also have passed H.C.R.No 8. relating to printing and distribution of certain Bills passed by the eight Legislative Assembly. and respectfully ask the concurrence of the Council thereto which is herewith transmitted.

J. D. Labahan
Clerk House of Representatives

Mr President.

I am instructed to inform your honorable body that the House have had under consideration. Council amendment to Section 1 of H.B No 1 An Act relating to Common Schools in Idaho and have acceded from their non-concurrence to said amendment. and concur in the same but amended said amendment by inserting between the words 'Boise' and 'County' the words 'and Lemhi'.

The House has also amended Council amendment to Section 5 Title 10 of said Bill by striking the words 'Owyhee' and 'Boise' and inserting in lieu thereof the words 'Lemhi.' and respectfully ask the concurrence of the Council to the amendments.

The House also amended Council amendments to Section 1 of Title 5 by striking out the word 'September' and inserting the word 'April'.

T.D. Cahalan
Clerk House of Representatives.

Mr President: I am instructed to inform your honorable ~~body~~ body that the House have had under consideration and pass H.B.No 91. An Act to dissolve the bonds of Matrimony between Sarah A. Baldwin and Jonas C. Baldwin

Also have adopted C.C.No 15 relating to suspending Joint rules No 15. during the remainder of the Session

Also have passed. H.B.No 98. An Act relating to the sale of lands in Boise City. I.T. which is herewith transmitted.

T.D. Cahalan - Clerk House of Representatives

By consent of the Council Mr. Pickett introduced S.B. No. 98. An Act relating to the sale of Lands in Boise City I.T. read 1st and 2nd times. Rules suspended read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Bonn. Kennedy. Goulder. Howard. Martin. Pickett. Slater. Mr President. 9.

Nays none.

Absent. Messrs Foote. Hawley. McNally. and Robie.

So the Bill passed

On motion the report of the Conference committee on H.B. No 1. was adopted.

H.B. No 63. An Act concerning Roads Bridges &c. was taken up and indefinitely postponed.

At 10-35 A.M. the President announced that he was about to sign H.B. No 61

Bill on 3rd reading.

H.B. No 43. An Act relating to the building of a Bridge in Ada County was taken up read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Bonn. Kennedy. Howard. Martin. McNally. Pickett. Slater. Mr President. 9.

Nays none.

Absent Messrs Foote. Goulder. Hawley. and Robie.

So the Bill passed

H.B.N.O. 82 and 85. both relating to Grade. Bridge &c. was taken up and indefinitely postponed.

By consent of the Council Mr Pickett introduced H.B.N.O. 99 relating to Judgments in Probate Courts. was read a 1st and 2nd time rules were suspended considered Engrossed read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Cannady. Howard Martin. McNally. Pickett. Slaton. McPresident. 9 Nays none.

Absent Messrs Foote. Goulden. Hanby. and Robie.

So the Bill passed.

H.B.N.O. 97. An Act relating to taxes on Ferries &c. was taken up Rules suspended. considered Engrossed read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Cannady. Goulden. Howard. Martin. McNally. Pickett. Slaton. McPresident. 10.

Nays none

Absent Messrs Foote. Hanby. and Robie.

So the Bill passed.

On motion the vote was reconsidered by which H.B.No. 63. was indefinitly postponed.

H.B.No. 67. An Act fixing the Fees for recording Quarts claims was taken up read a 1st and 2nd time certain amendments thereto adopted the rules suspended read a 3rd time and placed upon its final passage. the question being shall the Bill pass the ayes and nays were called.

Ayes Angell. Bowen, Kennady. Howard. Martin. McNally. Pickett. Stalker. Mr President. 9.

Nays none.

Absent Messrs Foote. Goulder. Hawley and Robie.

So the Bill passed

At 11-15 a.m. the President announced that he was about to sign H.B.Nos. 91. 95 and 50.

H.B.No 66 An Act relating to Law Library was taken up read a 1st and 2nd times and referred to Committee on Territorial Affairs. returned from Committee with suspended Rule considered Engrossed read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Bowen. Goulder. Howard. Martin. McNally. Pickett. Stalker. Mr President. 8 nays none

Absent Messrs. Kennady. Foote. Hawley. and Robie.

So the Bill passed

Bills referred

H. C. R. No. 8. relating to printing of certain Bills was taken up read a 1st and 2nd time and referred to Committee on Judiciary

H. B. No. 69. An act relating to the Assessor of Ada County was taken up read a 1st and 2nd time and referred to Ada County Delegation.

On motion of Hon Pickett the vote was reconsidered by which H. B. No. 63. was lost.

On motion the House was requested to return to the Council H. B. No. 63.

On motion of Hon Howard Council took a recess until 2 Oclock.

Afternoon Session
2 Oclock P. M.

Council called to order.
President in the chair. Roll called. all present except Messrs Cannady and Robie

At 2-15 P. M. the President announced that he had signed H. B. No. 95. also H. B. Nos. 1 and 22.

Message from the House

Mr President: I am instructed to inform your honorable body that the House have had under consideration and passed

H.B. No 99. An act relating to Judgments rendered in Probate Court of Idaho Territory

Also had under consideration H.B. No 97 An act relating to Cases on Ferries and Toll Bridges and refuse to pass the same

Also the House herewith return to Your honorable body. H.B. No 63 An Act relating to Toll Roads, Bridges and Ferries in Ada County.

Message from the Governor.

Executive Department
Territory of Idaho
Boise City Jan 15th 1875

To the Council

I have this day approved H.B. No 89 An Act defining the place of residence of District Attorney for District No 2.

Also H.B. No 91 An Act to dissolve the bonds of Matrimony between Sarah A. Baldwin and James G. Baldwin her husband.

Also H.B. No 95. An Act in relation to certain funds in Owyhee County.

S. H. Bennett
Governor.

Reports of Committees

Mr President.

Your Committee on Enrolled Bills. beg leave to report that they presented to the Governor C. B.'s Nos. 90 & 95 - 91 - 50 and 98. for his signature at 11 Oclock a.m. January 15th 1875.

Goulder
Chairman

Mr President.

Your Committee on Enrolled Bills would report that they find C. B.'s Nos. 91 and 98 correctly Enrolled.

Goulder
Chairman

Mr President.

Your Committee to whom was referred H. C. R. No. 8. giving an appropriation not to exceed $150.00 for printing of certain acts. passed at this Sight Session of this Legislature. report the Resolution back without recommendation.

Martin
Kennady.

Mr President

Your Committee on Enrolled Bills beg leave to report C. B. No. 99 correctly Enrolled. also. that the same was presented to the Governor for his Signature January 15th 1875 15 minutes past 2 Oclock P.M.

Goulder
Chairman

H.B.No 69. An Act relating to the Assessor of Adams County. was taken up and on motion was indefinitely postponed.

H.B.No 83. An Act concerning Toll roads. Bridges &c was taken up read a 3rd time and placed upon its final passage the question being shall the Bill pass. the ayes and nays were called.

Ayes Messrs Angell. Brown. Cammady Goulden. Howard. Pickett. Stalker & Mr President. 8.

Nays Mr Martin 1

Absent Messrs Hawley. McNally and Robe

So the Bill passed

H.C.R.No 8. Relating to printing certain Acts was taken up and rejected

At 3-15 P.M. the President announced that he had signed H.B.No 99.

On motion of Mr Howard Council took a recess until 7 Oclock P.M.

Evening Session
7 Oclock P.M.

Council called to order.
President in the Chair. Roll called
all present except Messrs Prickett & Rohrer

Messages from the House.

Mr President: I am instructed to inform
your honorable body that the House
have had under consideration and
passed H.B.No 71. An Act to provide
for printing certain Acts.

Also H.B.No 68. An Act to provide for
the taking & effect of certain Acts.

Also the House have had under consid-
eration Council amendment to H.B.No 61
relating to the recording of Quarts claims
in Owyhee County. and have concurred
in the same.

Also the House have had under consider-
ation and passed H.B.No 72. An Act to
provide for the payment of newspapers
furnished the Eight Session of the
Legislative Assembly..

Also H.B.No 80. An Act relative to
County Officers. in Nez Perce. County.
and respectfully ask the concurrence of
the Council thereto which is herewith
transmitted

I.D. Cathcart
Clerk House of Representatives.

Mr President: I am instructed to inform your honorable body that the House have appointed Messrs Pierce, Shoup and Curry a joint Committee on the part of the House to act with a like Committee of two from the Council to wait upon and ask his Excellency the Governor whether he had any further communication to make to either House.

The House has also passed C.C.R No 16 relating to pay for newspapers which is herewith transmitted

I.D. Cahalan
Clerk House of Representatives

Message from the Governor.

Executive Department
Territory of Idaho
Boise City Jan 15th 1875

To the Council

I have this day approved C.B. No 98. An Act to provide for the disposal of Lands in Boise City

Also C.B. No 99. An Act making judgments of Courts of Probate Courts a Lien on real estate.

Hon. H.B. No. 90 An Act to provide a uniform system of Territorial and County revenue. This Bill came to me at a late an hour on this last day of this Session that, owing to its great length I have been compelled to sign it without examination. As it is urged that is a Bill of great importance making the whole revenue system of the Territory. altogether in my opinion it involves questions of an important and legal character about which I have serious doubts

Hon I have approved Council Resolution providing for the payment of the Northern newspapers for papers furnished the Legislative Assembly.

J. W. Bennett
Govnr.

Bills on 3rd reading

H.B. No. 68. An Act providing for the taking effect of certain Acts. was taken up & read a 1st 2nd time & suspended & read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called.

Ayes Messrs Angell. Brown. Kennedy. Todd. Gaulder. Nadeau. Howard. Monteith. McNally. Slatter. Pres. President. 11.

Nays none.

Absent Messrs Prickett & Robii

So the Bill passed.

H.B.No.71. An act to provide for the printing of certain acts was taken up read 1st & 2nd time. rules suspended read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called

Ayes Messrs Angell. Cannady. Gordon Hagerty. Howard. Martin. McNally. Slatter. Mr President. 9.
Nays Messrs Brown and Foote. 2.
Absent Ingram Pickett and Robie
So the bill passed.

Mr Foote introduced the following Resolution.

Resolved by the Council that Hon E.J. Curtis Secretary of Idaho Territory be respectfully requested to pay the Rev J.P. Slattery the sum of $160.00 Dollars for services performed as Chaplain of the Council during the eight Session.

On motion the Resolution was adopted.

At 8 Oclock P.M. the President announced that he had signed H.B.No. 63-43-66 and 71.

H.B.No 60 An Act relating to Officers Fees in Nez Perce Co was taken up read 1st and 2nd time rules suspended read a 3rd time and placed upon its final passage the question being shall the Bill pass the ayes and nays were called

Ayes Mess Angell. Brown. Kennedy.
Hawley Howard. Martin. McNally. Pickett
Slater Pro President. 9
Nays Pro Goulder. 1
Absent Mess Foote. Pickett and Robie.
So the Bill passed.

H.B. No 78. An Act to pay for newspapers furnished members. was taken up read a 1st and 2nd time. Amendment to strike out 'draftsmen' adopted. Rules suspended Bill read a 3rd time and placed upon its final passage the question being. shall the Bill pass the ayes and nays were called.

Ayes Mess Angell. Brown ~~Foote~~. Goulder. Hawley Martin. McNally. Slater. Pro President. 8
Nays Mess Kennedy Foote. Howard. 3
Absent Mess Pickett and Robie
So the Bill passed

At 9-30 P.M the President announced that he was about to sign H.B. No. 60-68 and 72.

Journal of yesterday. read and approved.

S.B.R. No. 16 relating to allowing pay for the Northern was introduced. read and adopted

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Mr McNally offered the following Resolution

Resolved = that the thanks of this Council are hereby tendered to His Excellency T. W. Bennett Governor and Hon E. J. Beatty Secretary of Idaho Territory for the kindness and courtesy shown members of this body during the present Session. also to the Clerks and Officers and attaches of this Council for the faithful and efficient manner in which they have discharged their various official duties

Mc Nally.

which was adopted.

Mr Foote offered the following

Resolved that the thanks of this Council are due and are hereby tendered to Hon E. J. Beatty for the very able efficient and impartial manner in which he has discharged the duty of President of the Council during the present Session of the Legislature as well as for the uniform kindness and courtesy which has characterized his personal intercourse with the Members of this body: and sincerely trust that the cords may be long and continued

Foote.

which was adopted

The President appointed Messrs McNally and Goulder a Committee to act with a like Committee from the House to wait on Governor Bennett and ascertain whether he had any communication to make to either the House or Council.

The Committee returned with the Message.

Executive Department
Territory of Idaho
Boise City Jan 15th 1875

To the President of the Council.

I have to inform your honorable body that I have no further communication to make. Allow me to say that I thank each and every Member of the Council and its Officers for the ordinary evidence of friendship and respect shown me upon all occasions during the Session

T. W. Bennett
Governor.

Journal of today read and approved

There being no further business the President pronounced the Council adjourned Sine-die.

E. J. Beatty
President of the Council

E. D. Lean
Chief Clerk